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RETURN

To an address of the Legislative Assembly to the Lieutenant-Governor praying that he will cause to be laid before the House copies of the Report made by the Provincial Secretary and the Inspector of Prisons regarding the internal management of the Central Prison as the result of any investigation by them, together with a copy of the evidence taken upon the investigation.

By Command,

S. C. WOOD,
Secretary.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 16th, 1877.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO, 30th December 1876.

MEMORANDUM.

The undersigned having investigated the charges made against Chief Guard Beaumont by the Warden of the Central Prison, finds that the suspension of the Chief Guard by the Warden, and his subsequent dismissal, were fully justified.

S. C. WOOD,
Provincial Secretary.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 13th September, 1875.

The Complaint against Chief Guard.

SIR,—I have the honour to transmit to you for your information a communication addressed to me by Prison Guard Patrick Wall preferring various charges against Chief Guard Beaumont, and to inform you that with reference to the first subject of complaint I disposed of it as follows:—' That the Chief Guard was guilty of improper conduct, in obstructing the egress of Guard Wall from the prison on the Sunday in question, he (the Chief Guard) having no power to do so, the guard not being on actual duty at the time. That the proper action of the Chief Guard should have been to have given Guard Wall his orders, and if they were not complied with, to have charged the guard before the Warden with "disobedience of orders."

With reference to the other charges preferred by Guard Wall, I declined to receive and entertain them, as the charges were not made within twenty-four hours of the occurrence complained of. I have further to add that prior to my taking up the matter the Chief Guard stated to me that Guard Wall had expressed a desire to withdraw the complaint: thus of course I paid no attention to.

I have the honour to be,
Sir, your obedient servant,
W. S. PRINCE,
Warden.

To the Inspector of Prisons.

P. S.—Since writing the above, it has been reported to me that the Chief Guard sent for Guard Wall and asked him to withdraw his communication made to the Warden, as it would ruin him in Toronto. Upon receiving this report I questioned Guard Wall as to whether it was correct or not. The guard in reply stated to me that he was sent for to the office by the Chief Guard, and solicited by him to withdraw the letter, as the result would ruin him in Toronto. These proceedings on the part of a Chief Executive Officer of a prison and his subordinates, I think perfectly disgraceful and certainly tend to corroborate the assertion of Guard Wall, "That the Chief Guard's control over the guards is merely a nominal one," and that it cannot be expected that such a man can execute the authority of a Chief Guard.

W. S. PRINCE,
Warden.

CENTRAL PRISON,
Monday 6th Sept., 1875.

To the Warden.

SIR,—I wish to bring to your notice the extraordinary conduct of Chief Guard Beaumont, on Sunday last, in detaining me as prisoner, and prohibiting me from exercising the right to free egress from this building (when not on duty), which I consider myself entitled to both as guard and a freeman. I can see no power in our Regulations authorizing such conduct, and even if such authority existed, I should imagine that while you were on the premises the proper course to adopt would be to first acquaint you, and then to act according to your instructions.

I also beg to inform you that the above conduct though strange, does not surprise me, as I had been for a considerable time expecting him to do something wonderful, as, to my knowledge and to the knowledge of every guard in the Prison (which can be testified upon oath) he is in a habitual state of drunkenness more or less; his control over the Guards of the prison is merely a nominal one—if one of the guards is detailed for duty on Sunday, and he does not like to do it, he goes to the Chief and says it is not my turn for duty, the detail is changed and another man put on. One instance—on Sunday last Guard Gifford was detailed and subsequently Newton in his place. He does not report these things or in fact anything as far as I can see, for he is in the power of every man in the institution; consequently it cannot be expected that such a man can exercise the authority of Chief Guard.

But when the Deputy Chief Guard warns a guard for duty he knows he must do it; neither are there any practical jokes carried on, the reason being that the man is always sober and capable of giving and receiving orders. With reference to what I have stated concerning the habits of Mr. Beaumont, I can testify upon oath, and so can the guards in general.

I am, Sir,
Your obedient servant,
PATRICK WALL.

Re Charges against Chief Guard, Central Prison.

Toronto, Sept. 16, 1875.

Sir,—I have the honor to inform you that it is my intention to investigate into charges of drunkenness and irregular conduct that have been preferred against you as Chief Guard of the Central Prison.

I have the honor to be, Sir,

Chief Guard Beaumont,
Central Prison.

Your obedient Servant,
J. W. Langmuir,
Inspector.

Warden's Office,
Central Prison of Ontario,
Toronto, 20th Sept., 1875.

Minutes of an investigation held by the Inspector of Prisons, into certain charges preferred by guard Patrick Wall, against Chief Guard Beaumont, commenced at the Central Prison, on the 20th September:—

Patrick Wall being sworn, deposed as follows:—I am a guard in the Central Prison; was appointed as temporary guard on the 10th March, 1875, and on the 5th of May was permanently confirmed in the position. On the 5th of September (Sunday), on going into the dormitory in the guard-room, I found a lot of clothing, which I thought was placed there as a joke. I threw them into the yard through the window. A short time after, the Chief Guard asked me if I had thrown them out, and asked me to go out and pick them up. I said I did, and told him some of the other guards had the better right to do so. I then prepared to go out of the prison, as I was not on prison duty; but on going to the gated door on the north, which is the proper way out, I found it locked, and the Chief Guard informed me I could not go out. I then went back to the guard-room, and remained there until 5 p.m., when I went out into the town. I reported the matter to the Warden verbally on Monday, and on Tuesday morning I sent in the written statement now produced and marked No. 1. With respect to the statements made in the paper in regard to the intemperate habits of Chief Guard Beaumont, I repeat the same now upon oath. I informed the Deputy-guard, Mr Uniacke and the guards generally, that I reported to the Warden my detention in the guard-room, also in respect to the intemperate habits of Mr Beaumont. On Tuesday or Wednesday, Guard Uniacke came to me and told me that Mr. Beaumont wished me to withdraw the charges I had made against him in respect of his intemperate habits. I said to Uniacke that I did not care whether they were withdrawn or not, as it was the truth.

On the following morning after the conversation with Uniacke he (Uniacke) came again to me and said the Chief Guard wanted to see me in the Warden's Office. I went to him, when he asked me what satisfaction it would give me to bring the charge of intemperance before the authorities, if even I could prove it? He said that as far as Toronto was concerned, it would ruin himself and family. I told him that I had no apprehension as to the result of a trial, but if the Warden would permit, I had no objection to the withdrawal of the charge of intemperance. On the same evening the Warden sent for me, and in the presence of Mr. Beaumont, the charge of my detention in the guard-room was disposed of by the Warden, but the Warden expressed himself shocked in respect to the charge of intemperance preferred against the Chief Guard, and told me that the charges should have been made twelve hours after the occurrence.

I then came to the conclusion that the Warden believed that I had apprehension of the result of the charge of intemperance made against Beaumont, from the conclusion he arrived at, and from his statement that the charges should have been made within twelve hours after the occurrence.

The first week I was on night duty in the prison, during my temporary appointment, which was on the 25th of March, I saw the Chief Guard in the south corridor about 7 or 8 p.m. He spoke to me. I then suspected that he was under the influence of liquor. I asked him some questions as to the discharge of my night guard duty, as he did not instruct me, and from his answers to me, I was convinced that he was intoxicated. Having asked him what I should do if I saw a prisoner coming out of his cell at night? he said, "Shoot him—put the six barrels into him." I had only a five-chambered pistol. I thought I had no right to shoot a prisoner under such circumstances, so there was [illegible]. I also smelt liquor upon him. His articulation was changed.

On the 18th April, at 10.05 p.m., Beaumont visited Guard Somers while he was on night duty. I saw him through the grated door.

I saw an entry in Somers' night guard's report, saying, "Visited by Chief Guard at 10.5, drunk." The Deputy-chief Guard to Somers told me, asked him to come in. The same night, at about 8 I saw Beaumont, and he was then under the influence of liquor. I judged so from the same evidence as before stated.

On the 24th June it commenced to rain at 4.30 p.m., and the prisoners, who were breaking stone, were brought in and put into their cells without being counted and the cells were not locked; neither of these duties were performed until six p.m.

The Chief Guard was drunk that afternoon. Mr. Uebecke remarked the same thing to me: he talked very thick; the Deputy-chief was absent on leave of absence that day.

On the last week in August, Guards Evans and Dean both remarked to me that the Chief Guard was drunk, which I saw myself. Evans said, "By George, he is pretty full!" and Mr. Dean: "He has a good deal in him."

I have frequently seen him drunk on other occasions, but I have not the dates. I never saw him drink any liquor inside the prison; but Guard Uebecke told me that he had drunk liquor with him (Beaumont), upon the prison premises.

He said that somewhere about the scrap shed he found Beaumont drinking whiskey or liquor with some other guards. He said Beaumont offered some to him, and he drank it. I have never with my own eyes seen Beaumont, or any other officer or guard, drink liquor upon the prison premises.

With respect to my statement that Chief Guard Beaumont's control over the guards is now merely nominal, I have many instances of it, viz.: on the 23rd June, prisoners O'Hara, McAllister, Adams, Lee, Day, and Campbell, were reported by Guard Somers for laughing and talking; they could not have been reported to the Warden, as no punishment or reprimand followed.

On the same day Guards Hill and Wall reported M'Carty, Lynch, Lee, Shook, Searle, Kelly, White, Day, Collins, Williamson and Eyre, for inattention to work and talking, but no punishment was awarded. On the 23rd June, I reported prisoners Walter and McEnerney for laughing and talking at the dinner-table; they were not cautioned and I have not seen prisoners since.

Acts are done in the guard-room, such as whistling, talking, dancing, etc., before Beaumont, which would not be done before Mr. Steadman; and from which I think that they the guards don't care for him.

Certain guards now get off doing duty by simply telling Mr. Beaumont that other guards came before them, when it is really not the case. On the 2nd of May I went off night duty when I was warned for Sunday corridor patrol, which is from 1 to 5 p.m. I performed the duty. This was prior to the issue of an order forbidding it. I have no evidence or proof that he (Beaumont), neglected to perform his duty in giving orders or carrying out orders to guards, for fear of offending such guards; but I have my opinion that he has.

P. Wall.

Captain Prince, Warden, sworn.—Chief Guard Beaumont informed me, before I investigated into the charges preferred against him by Guard Wall, that Wall had expressed to him a desire to withdraw the charges made against him; but I was not aware that the Chief Guard had, prior to that, been using influence upon Wall, as stated in his evidence, to have the charge withdrawn. As soon as I discovered that, I reported the matter to the Inspector.

W. S. Prince, *Warden*.

Matthew Uebecke, sworn:—I am guard at the Prison; been here ever since its opening. I never told Guard Patrick Wall that I came upon Chief Guard Beaumont drinking liquor with a guard or guards somewhere about the scrap-iron shed, and that I took some liquor myself at the time. I never told Guard Wall any such thing, because it never happened. I never saw Chief Guard Beaumont drink upon the Prison premises; nor I never saw him under the influence of liquor, nor I never told Wall that I saw him—the Chief Guard—in that state. I have heard Wall say things about the Chief Guard that convince me that he has a spite against him.

M. [illegible].

Guard Martin Somers, sworn :—

I have been a guard in the prison for ten months. I was on night duty on the 18th of April last. On one occasion—I don't say [illegible]—I made an entry in the night-guard report book, that I had been visited while on night-guard duty by Chief Guard Beaumont at a certain hour, when he was drunk. I showed the report to Deputy Chief Stedman, and he told me there was plenty of time, and to wait. I then erased the part stating that the Chief Guard was drunk when he visited me. I don't remember that I showed the report to Wall, but I told him of having made it. The reason why I made the entry was, that a few days before that I was ordered for duty by the Chief Guard out of my turn. I informed him that it was out of my turn, and told him who should come first. He told me that he kept the duty roster, and that I must go on. I said "very good," but I wished to see the Warden. Upon that the Chief Guard slapped his stick on the guard-room floor and said that he would allow no one to change his entry. He also called me a grumbling fellow, and said that if I would send in my resignation the Warden would accept it. I was not put on duty that night or the following, although I was detailed. I thought that a man who has been fifteen years an effective non-commissioned officer in the service should have known better than detail for duty out of turn, and therefore I said he was drunk. His manner of speaking on that night and other occasions convinced me that he was drunk. He spoke thickly. I never saw him drink upon the Prison premises, nor no one of the guards ever told me that he was seen to drink upon the premises.

M. Somers.

Warden's Office, Central Prison of Ontario,
Toronto 22nd Sept., 1875

Sir,—Having heard from some of the guards of the Central Prison, that during the afternoon of the 20th inst., you held an investigation into some charge or charges preferred against me by a guard of the Prison, named Wall, and having the most implicit faith in your sense of justice, I beg to request that I may be informed if such is the case.

I am unacquainted, to a great extent, with the laws of this country, but I presume, as a public servant, I have a right to know when an official investigation into the propriety of any of my acts takes place. I am not aware, nor have I been informed, of having been guilty of any dereliction of duty or breach of discipline of any sort, much less any act that would necessitate an investigation; but I am aware of the fact, that the aforesaid guard, Wall, addressed to the Warden a letter containing some extraordinary charges against me. Guard Wall, at the time, was smarting under the irritation of a censure from me, for what I did then and do now consider an unwarrantable act on his part. He expressed his regret for writing the letter the following day, and requested me to ask the Warden to allow him to withdraw it, which I did.

The Warden saw Guard Wall that afternoon, and in my presence informed him that he declined to receive the letter, as it was entirely contrary to the By-laws to accept such unspecified charges, which were also made quite out of the limits of the time prescribed.

I am quite willing, if it is considered necessary, for my acts and mode of conducting the duties of my position to become the subject of either a Government or Public investigation; but I trust, if such is the case, that I may be duly informed of it, and made acquainted with the charge or charges preferred against me, and further, that I may be allowed to be present to hear the evidence given against me.

I have the honour to be,
Sir,
Your obedient servant,
James Beaumont,
Chief Guard.

The Inspector of Prisons,
Toronto.

September 23rd, 1875.

Re, Complaint against Chief Guard,
Central Prison.

Sir,—Referring to your letter of the 15th inst. and my subsequent enquiry into the facts of the alleged misconduct of Chief Guard Beaumont, I have the honour to inform you, that although I do not consider the evidence offered at that enquiry sufficient to warrant any proceedings in an investigation yet I am convinced that there is some truth in the charges, although proof sufficient to convict the Chief Guard of the alleged misconduct was not forthcoming.

In future I shall decline to make any investigation into such charges unless they are made by yourself and brought officially to my notice as demanding an investigation with evidence as to their correctness.

You will be so good as to hand the enclosed letter to Chief Guard Beaumont.

I have the honour to be, Sir
Your obedient servant,
J. W. Langmuir,
Inspector

Capt. W. S. Prince,
Warden, Central Prison,
Toronto.

Re charge against Chief Guard,
Central Prison.

September 25, 1875

Sir,—Referring to your letter of the 22nd inst., I have the honour to inform you that certain charges were made against you by Guard Wall, and forwarded to me by the Warden, and that I made an informal enquiry into their correctness, and found that there was not sufficient evidence to warrant my making a formal investigation into the matter.

At the same time, the evidence adduced left no doubt on my mind that the charges were more or less correct, and I would, therefore, beg to intimate that which is well understood to be a rule of the prison—that drunkenness will on no account be tolerated, and that I should recommend your dismissal should a well authenticated charge be brought to my notice of any such misconduct on your part.

I have the honour to be, Sir
Your obedient servant,
J. W. Langmuir,
Inspector.

Chief Guard Beaumont,
Central Prison.

Toronto, February 20th, 1876.

To the Inspector of Prisons,

Sir,—Some months since I addressed you a communication in relation to the conduct of Mr. James Beaumont, the Chief Guard of the Central Prison. In this letter no specific charge was preferred against him as no actual evidence in support thereof was available and could be produced by me, but I stated in that letter that the Chief Guard, owing *to his intemperate habits, his neglect in not reporting matters connected with the discipline of the Prison*, and his *obstructiveness in the performance of duties ordered by me*, together with his *deceptive practices* unfitted him for such a responsible and important position as Chief Guard. I have now to reiterate my former statements, and to add that, from circumstances which have transpired, I consider the present Chief Guard an *obstructive and dangerous officer*. In using the word dangerous, *I mean that he would wilfully commit an action that would not only tend to involve me, as Warden, in serious trouble, but bring disgrace upon the Institution. It is the duty of the Chief Guard to correctly keep the Registry of Prisoners,* this *Registry shows the description of the Prisoners, the date of sentence, and expiration of sentence.* These entries are very simple, and with common attention, no mistake, except intentionally committed, can possibly occur. The prisoners are discharged by me personally of a morning, the Chief Guard producing a board, on which the prisoners' names are specified, containing those to be discharged during the month, with the dates of discharge set opposite their respective names.

On the morning of the 8th of January I discharged William Lynch, in accordance with the registered date. Some days afterwards it was reported to me by the Deputy Chief Guard, Mr. F. Stedman, that this prisoner had been discharged before the expiration of his sentence, and this proved to be correct; and the circumstance of this wrong discharge was withheld from my knowledge by the Chief Guard.

A prisoner named Page (a receiver of stolen goods, well known to the Toronto police), was brought into my office dressed for discharge, in accordance with the Chief Guard's order on the 12th January last. The Deputy Chief Guard, suspecting that his term of service had not expired, prevented his being discharged, and on reference to the copy of the conviction, it turned out that his period of imprisonment did not expire till the 26th of January, although he was registered to be discharged on the 12th. This was never reported to me by the Chief Guard. I have had difficulty in getting my orders carried out by this officer. In fact, upon occasions he has obstructed the observance of them, and instances have occurred in which he has altogether neglected to read my orders to the officers of the Prison.

Derelictions of duty on the part of officers have been, I am convinced, utterly ignored by him, and of course not reported to me. In fact the discipline of the Prison has only been thoroughly maintained from the reports and assistance rendered me by his subordinate, the Deputy Chief Guard. It has been obvious to me for the past eighteen months, that the Chief Guard had no moral authority over his subordinates; he is therefore afraid to exercise his official authority, the result of his previous misconduct and intemperate habits,—all of which the Prison guards are cognizant of.

I have no hesitation in affirming that this officer when on duty in the Prison, of an evening, absents himself at times when he should be present in the guard room. He has ever displayed marked indifference to the welfare of the Prison, and to the earnest and systematic labour of the working party.

He obstructs rather than encourages, and I feel that his retention in such a position of trust would be prejudicial to the discipline and success of the Institution. I consider him an official not to be trusted,—untruthful, intemperate, deceptive and scheming; and I have no hesitation in saying that he is capable of playing me a false trick at any time. I therefore earnestly desire that you will be good enough to bring the matter of this letter under the consideration of the Government, and recommend the removal of this officer from his office as Chief Guard.

In advocating the removal of this official without a directly drawn up charge, supported by the necessary sworn evidence, I would observe that, having been in command of bodies of men for many years, in various trusts and positions, experience has taught me that it is not absolutely necessary in order to dispense with the services of an undeserving officer, who at any time might forfeit the trust reposed in him, to be compelled to produce witnesses, take sworn testimony, and go into a lengthy investigation; and that is especially defined in the executive administration of the Police Department, where it is often impossible to bring home charges against a wily police officer who is an adept at evading actual detection in the act.

The only mode left for the executive officer in disposing of such an official, is general impressions as to the results of duties performed by him, his sobriety, vigilance, and energy and conscientiousness in the discharge of duties.

I remain, my dear Sir,
Yours truly,
W. S. Prince,
Warden.

P S.—In that part of my statement relating to the conduct of the late Chief Guard, James Beaumont, in not reporting officers, what I desire to convey is that the late Chief Guard abstained from making reports against officers when he had the opportunity of recording offences that came under his personal observation, and that he was otherwise cognizant of such, as officers coming into the guard room intoxicated wrangling and swearing, drinking in the premises, &c., offences which I could not possibly know of, unless they were reported to me, and which misconduct more than any other tends to uproot the discipline and respectability of the Prison and its staff

There are a number of offences registered by me in the Officers' Misconduct Book, as having been reported by the Chief Guard; these, however are offences patent to the whole Prison, and taken cognizance of by me immediately, such as neglect of duty in allowing a prisoner to escape, "absence from night duty, absence at evening parade for duty absence from gang duty," all which is known to all the officers at the time, and could not be concealed. Action thereon being required at once, in order to carry on the supervising duty correctly

Prisoner Edward Shufelt, transferred 2nd August, 1875, sentenced 12 months should have been discharged on the 24th July 1876 but registered for discharge 31st July.

Wm. Proster, transferred 5th November, 1875 sentenced 6 months should have been discharged 26th April, 1876, entered in register so as to be discharged 27th.

Mathew Fowler, transferred 3rd January 1876; sentenced 4 months; registered for discharge 24th April, 1876, should have been discharged 27th April.

Francis Hoskins, transferred 7th February 1876; sentenced 6 months; registered for discharge 16th August, 1876, should be 24th July 1876.

Alex McKenzie, transferred 7th February, 1876, sentenced 6 months, entered in register to be discharged 17th August, 1876, should be 17th July, 1876.

Richard Clancy, transferred to Central Prison 17th November, 1874, sentenced 18 months escaped 14th May over the west wall, registered in the Prisoners' Property Book, as having $2.15 by the Bursar, Mr. Short, and in the column where the prisoner's name ought to appear as a witness to the possession and registry of the amount, the initials J B in the handwriting of the late Chief Guard, James Beaumont; the property is not forthcoming, as it should be in the safe at the present time.

W S. Prince,
Warden.

Office of the Inspector of Asylums, Prisons, &c., Ontario,
Toronto, 1st March, 1876

To Chief Guard, Central Prison.

Sir,—I have the honour to transmit for your information and instruction a communication received from the Warden of the Central Prison animadverting in the strongest terms upon the character and conduct of Mr James Beaumont, Chief Guard of the Central Prison The charges, as you will observe, must seriously affect the moral and official character of that officer and whether true or false, must completely destroy for the future, the good relationship and confidence that should exist between the Warden and the Chief Guard.

That you may the more readily realize the results of this want of confidence, I may state that all the Warden's orders to subordinate officers and guards, pass through the Chief Guard, and during the absence of the Warden from the prison, he acts as Deputy Warden, and as such is clothed for the time being with the full authority of the Warden.

The charge preferred against him, by the Warden, of drunkenness upon the prison premises, has been made on several occasions before, and although not clearly proved, legally, still I entertained no doubt as to his guilt, and warned him that the production of reasonable evidence of his being so intoxicated would be followed by instant dismissal. Such action became imperative inasmuch as it had been clearly proved that the Chief Guard had been in the habit of frequenting taverns and drinking in them with the Prison Guards.

The charges that he is deceptive in his character and guilty of practices that render him an obstructive and dangerous officer and one that would wilfully involve the Wardue in trouble, and bring disgrace upon the institution," are of such a nature as only to be properly judged by one coming into daily contact with the Chief Guard, and having his habits and practices under constant observation.

The charge that the Chief Guard has discharged some prisoners before the expiration of their sentences is correct, and is either the result of gross carelessness in keeping the register or a criminal interest and collusion with prisoners. If due to carelessness only, such explanation and report should have been made to the Warden of the facts, as would have enabled him to guard against a recurrence of the carelessness. This, it seems, the Chief Guard neglected to do.

The charges that the Chief Guard has neglected to carry out the orders of the Warden, and on some occasions has obstructed the observance of them; that he has not reported on many occasions dereliction of duty on the part of officers; that he has no moral authority over his subordinates and that he is afraid to exercise his official authority owing to previous misconduct and intemperate habits, which are known to the guards, are also of such a nature that they can only be properly judged by one coming in daily contact with the Chief Guard and having him under constant observation.

While I am fully of the opinion that any officer or servant of a public institution against whom charges are preferred, is justly entitled to demand and receive through an official investigation, an opportunity of rebutting such charges, still when the head of the institution and the officer directly responsible to the Government for its discipline and management (more particularly in a prison where the safe custody of prisoners is at stake) deliberately states over his signature, as the Warden of the Central Prison does, respecting the Chief Guard, "that his retention in such a position of trust would be prejudicial to "the discipline and success of the Institution; that he considers him an official not to be "trusted, untruthful, intemperate, deceptive and scheming." It is very clear that if the Warden is to be held responsible for the management and discipline of the Prison, that any subordinate officer respecting whom he finds it necessary to report in the manner he has done in this case, must be summarily dismissed.

I have the honour to be, Sir
Your obedient Servant,
J. W. Langmuir,
Inspector.

To the Honourable, the Provincial Secretary.

3rd March.

Re Chief Guard.

Sir,—I have the honour to acknowledge the receipt of your letter of 20th ultimo, preferring certain charges against the Chief Guard of the Central Prison.

You state that owing to intemperate habits, neglect in not reporting matters connected with the discipline and obstructiveness to the performance of duties ordered by you, together with deceptive practices generally, that this officer is unfitted for the discharge of the responsible and important duties of his position.

You also state that in your opinion, he would not hesitate to wilfully commit an action that might not only tend to involve you as Warden in serious trouble, but would bring disgrace upon the Institution. You further state that, owing to carelessness in keeping the Register of the Prison (a duty that devolves upon the Chief Guard) that prisoners have been discharged from the Prison upon several occasions prior to the expiration of their sentences, and, that although these irregularities were well known to the Chief Guard, still he failed to report the matter to you, in order that steps might be taken to prevent the recurrence of the same.

You also state that you not only experienced great difficulty in having your orders carried out by this officer, but that upon some occasions he has obstructed the observance of your orders and on other occasions has neglected altogether to read them to the officers of the Prison.

You state that dereliction of duty on the part of officers has been utterly ignored by him, and not reported to you; and that, in fact, the discipline of the Prison has only been thoroughly maintained by the reports and assistance of officers subordinate to him.

You say that you are convinced that the Chief Guard has no moral authority over his subordinates, and that owing to previous untruthful and intemperate habits—of which the Prison Guards are cognizant—that he is afraid to exercise his official authority over them, and that you therefore consider him an official not to be trusted, untruthful, intemperate, deceptive and scheming.

I need not state that under ordinary circumstances, it is the desire of the Government that officers and servants of public Institutions against whom charges are preferred should have an investigation into such charges, and obtain an opportunity of rebutting them; still when the head of an Institution, and the officer directly responsible to Government for its discipline and management (more particularly that of a Prison, where the safe keeping of a large number of prisoners is at stake), deliberately makes charges that so seriously affect the moral and official character of an officer, and, in consequence, the character of the Institution with which he is connected, it is clear that if the authority and responsibility of such manager is not to be totally destroyed, the officer whom he so unfavourably reports must be dismissed; for whether the charges are true or false, it is very evident that the good relationship and confidence that should exist between them must be completely destroyed.

When it is considered that all your orders to subordinate officers and guards pass through the Chief Guard, and that, during your absence from the Prison that officer acts as Deputy-Warden, and is clothed for the time being with the full authority of the Warden, this action becomes the more imperative.

Having laid your communication before the Honourable the Provincial Secretary, who has given the matter the fullest consideration, I am directed by him to inform you that the services of Chief Guard James Beaumont are now no more required, and you will communicate to him that, for the reasons set forth in your letter he has been dismissed from the Central Prison service.

I have the honour to be
Your obedient Servant,
J. W. Langmuir,
Inspector

The Warden of the Central Prison,
Toronto.

Box 605
Toronto, 9th March, 1876

To the Honourable S. C. Wood,
Provincial Secretary

Sir,—I have been much surprised by the receipt of an official letter from the Warden of the Central Prison, in which I am informed that in consequence of certain charges having been made against me, the Government have directed my removal from the position of Chief Guard which I have held since the opening of the Institution.

As this step involves not only the loss of my situation, but also my character I am surprised that I should not have been previously informed as to the nature of the charges and an opportunity allowed for an explanation.

I am therefore induced respectfully to request of you as Secretary of the Province and head of the Department under which I have been serving, to cause me to be supplied with a copy of the charges, and further that the Government will afford me an opportunity of confronting my accusers, with a view to remove the censure implied in the summary dismissal of which I have been so unexpectedly notified.

I have the honour to be, Sir,
Your most obedient Servant,
James Beaumont,
Late Chief Guard, Central Prison.

17th March, 1878.

SIR,—I am directed by the Hon. the Provincial Secretary to acknowledge the receipt of your letter of 9th inst., and to state that the reasons why you were removed from the position of Chief Guard of the Central Prison are set forth in a letter received from the Warden, of date February 20th, inst. In that letter the Warden states that owing to your intemperate habits, neglect in not reporting matters connected with the discipline of the prison, obstructiveness in the performance of duties ordered by him, irregularity in keeping the registers of the prison, neglect in not reading the orders issued by the Warden, overlooking and not reporting offences and misconduct on the part of officers of the prison, and deceptive and obstructive practices generally, your removal was recommended.

While the Government is desirous of giving every officer in the service of a Public Institution an opportunity of rebutting any charges that may be preferred against him still it is clear that if the authority of the Superior Officer of an Institution, particularly of a prison—is to be upheld, due weight must be given to all charges preferred against his subordinate officers.

When therefore the Warden over his own signature deliberately states that your retention in office, for the reasons set forth by him, would seriously affect the discipline and management of the prison, it is clear that the good relationship and confidence that should exist between the Warden and his Chief Guard is completely destroyed.

Particularly is this the case when, as you know, the Warden's orders to all subordinate officers and guards must pass through the Chief Guard, and that during the absence of the Warden he must act as Deputy Warden. For these reasons the Warden was instructed to remove you from your position as Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
J. W. LANGMUIR.

Mr. James Beaumont,
Box 605, Toronto, Ont.

BOX 605, TORONTO, 22nd March, 1878.

The Honourable the Provincial Secretary, Toronto.

SIR,—I beg most respectfully to transmit to you a copy of a letter I have written to the Inspector of Prisons in reply to one I received from him, written by your directions, and by which I was for the first time made acquainted with the grounds for my removal from the position of Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
JAMES BEAUMONT.

BOX 605, TORONTO, 21st March, 1878.

The Inspector of Prisons.

SIR,—I have the honour to acknowledge the receipt of your communication of the 17th instant, in reply to my letter of the 9th, addressed to the Honourable Provincial Secretary detailing the charges made against me by the Warden of the Central Prison, and regret that my dismissal was so arranged that this should be the first opportunity of my becoming aware of their nature, or being able to offer any explanation in reply.

1. *Intemperate Habits.*

This latter I deny, and beg to state that, though not a total abstainer, I have never while an officer in the Prison been in the least incapacitated from the proper performance of every duty required of me, day or night, in consequence of intemperance. Further when I entered the service of the Central Prison it was with the full understanding that any single act of intemperance would be dealt with in the manner adopted in the Army, Navy and Convict Service of Great Britain, viz., that the Warden would call a witness to the fact and suspend me, my dismissal, as a matter of course, immediately following,—this has never been done, nor have I ever been charged with intemperance by the Warden.

2. *Neglect in not Reporting to the Warden, &c.*

With regard to the accusation of neglect in not reporting to the Warden matters connected with the discipline of the Prison, I distinctly assert that I am entirely unconscious of any neglect in this particular, certainly none that would be deemed matters of importance by any impartial judge.

It is true that I suppressed one report made to me of insubordination of prisoners in one gang, as the cause of it arose from the alleged conduct of the Warden.

3. *Remissness in the Performance of Duties.*

This I must again deny any consciousness of, unless it refers to matters connected with the domestic arrangements of the Warden's house, the written orders for which I now hold, to be produced when required, having always felt too much interest in prison affairs to have offered the slightest obstruction at any time.

4. *Irregularity in Keeping the Register.*

In reply to this I have only to remark that from the opening of the Central Prison to the day I left, no person ever made an entry in the Prison Register but myself; that it lay open every day without exception in the Warden's office for his inspection, and on no single occasion has there ever been the slightest fault found with its correctness or incompleteness. Surely if any neglect existed in this matter it was not unreasonable to expect that my attention would have been called to it by the Warden, especially when he was fully aware of the various other calls upon my time and attention. Referring to an error I made in computing the time of a man named Lynch, by which he was discharged some days previous to the expiration of his sentence, I may state that I reported the mistake to the Warden immediately I discovered it—four days after. This man's sentence was among the first I had to calculate after taking up that duty, and I believe is the only case in which any mistake on my part was not discovered in time to prevent any unfavourable result.

I may take this opportunity of drawing your attention to the fact that, although paragraph 12 of the by-laws fixes the duty of the Chief Guard to see that the books, &c., in the Warden's office are properly kept, the odd menial duty *of doing it* was imposed upon me through assistance in the shape of a prison clerk being forbidden by the Warden, and no other provision made. The variety of other duties laid out for the performance of the Chief Guard most seriously interfered with that uninterrupted attention which is so essential to the correct keeping of books of any kind, and I referred to this in my letter to you of the 18th October last.

5. *Neglect in not Reading Orders Issued by Warden.*

I emphatically deny that I was ever guilty of neglect in reading any of the orders of the Warden, the whole of the orders having been read by me at the time of publication, with the exception of one or two which the Warden himself verbally informed me need not be read, and to which I can refer to from memory when called upon.

6. *Overlooking and not Reporting Offences of Officers.*

In this matter I cannot recall any case of neglect on my part, which in the reasonable discretion to which the officer in my position was justified in exercising.

Had I reported all reports made to me during my service in the Central Prison, serious scandals might have been brought to notice, which, for the credit of the prison, I deemed it my duty to suppress.

I am happy to be informed that the Government is desirous to give every officer in the service of a public institution an opportunity of defending himself, and I trust they will extend the same to me by instituting a full and impartial investigation of the alleged charges, and while giving full weight to the charges preferred by the Warden that their weight shall only be estimated by the facts which may be established by evidence.

I have been fully aware that nearly ever since the opening of the Institution, a junior officer of the prison has had the ear and confidence of the Warden and has boasted that he would have me removed and secure my position, and am firmly convinced that the Warden has been largely influenced by his misstatements, and has been induced in consequence to use his influence for my removal, but I had great confidence that no dismissal would take place without an inquiry into the facts, when I knew the truth would be made apparent, and the evident desire of the Warden to place in my position one who enjoyed more of his confidence, whether deservedly or otherwise.

I am fully aware of the importance of a good understanding existing between the Warden and his Chief Guard, and had the only ground for my removal been based on that fact, and been so represented to me by you, without the charges detailed above, it would have been different; but when I consider that as Deputy-Warden I conducted the business of the prison in such a manner during his absence in 1874 as to secure his unqualified approval, and again during his prolonged absence in 1875 with a similar result, and I believe also entirely to your satisfaction, and having given all these circumstances my mature deliberation, I must respectfully and earnestly request that a full and impartial enquiry may be instituted and that I may not be dismissed with an undeserved stain on my character which must necessarily prevent my securing other employment, upon which the welfare and comfort of myself, wife, and family in such a large degree, are dependent.

I have the honour to be, Sir
Your most obedient servant,

JAMES BEAUMONT,
Late Chief Guard Central Prison.

TORONTO, 25th March, 1876.

SIR,—I have the honour to acknowledge the receipt of your letter of 21st inst., which I have transmitted to the Hon. Provincial Secretary for consideration and instructions.

I have the honour to be, Sir,
Your obedient Servant,

MR. JAMES BEAUMONT,
Box 605, Toronto, P. O.

J. W. LANGMUIR,
Inspector.

28th March, 1876.

SIR,—I transmit herewith for your perusal a letter received from Ex-Chief Guard Beaumont.

You will observe that he denies most of the charges preferred against him.

You had better deal with the charges in the order in which they are placed and give instances. This report is asked for for the information of the Government, not with a view of communicating its contents to Mr. Beaumont.

I have the honour to be, Sir

Your obedient Servant,

The Warden, Central Prison, Toronto.

J. W. LANGMUIR,
Inspector.

PROVINCIAL SECRETARY'S OFFICE, TORONTO,
March 29th, 1876.

SIR,—The Inspector of Prisons has been instructed to send a copy of your letter to Capt. Prince, and when we receive his reply will determine what course to pursue.

I have the honour to be, Sir,
Your obedient Servant,
S. G. WOOD,
Secretary.

JAS. BEAUMONT, Esq.,
Box 605, Toronto.

Re Communication of Ex-Chief Guard James Beaumont.

March 30th.

To the Inspector of Prisons &c.

SIR,—I have the honour to acknowledge the receipt of your letter of the 30th instant, enclosing a communication addressed to you by the late Chief Guard of the Central Prison. To this letter I shall send you a reply with as little delay as possible. In the meantime I return the letter without loss of time, as desired.

Your obedient Servant,
W. S. PRINCE,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C. OF ONTARIO
TORONTO 20th April, 1876.

Re Ex-Chief Guard Beaumont.

SIR,—Referring to the communication of this dismissed officer addressed to you, asking to be furnished with the reasons why he was released from duty, I beg to state that I transmitted the letter to the Warden, and I now have the honour to forward to you his reply, which affords additional evidence of the necessity that existed for discharging Mr. Beaumont from the Central Prison service.

Be good enough to return the letter for filing in this office.

I am, Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

The Honourable Provincial Secretary.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 21st April, 1876.

To the Inspector of Prisons, &c.

SIR,—In reference to your letter enclosing a communication from the late Chief Guard Central Prison, in which he denies the truth of my representations as to his unfitness for office from his intemperate habits and other reasons adduced by me, I have the honour to inform you, that the best proof in support of the correctness of my statement to you is the discipline, contentment and harmony that has pervaded every branch of duty since the 8th of last month, the date of the late Chief Guard's removal; but I shall deal with his denials seriatim, and first as to his denial of intemperate habits:—Mr. Beaumont has been frequently under the influence of liquor, which has been patent to every guard in the Prison. Upon one occasion he was sitting upon a chair in the north corridor between 3 and 4 p.m. so much under the influence of liquor as to be clearly observable, and remarked by the guards. Upon one occasion whilst in this state, he had the prisoners rung down from the corridors twenty minutes before the arrival of the working gangs from the yard, for the "evening counts." Numbers of other cases could be enumerated, and witnesses produced in evidence thereof. But I may state, that on the evening previous to his removal (the 7th March), while taking the "evening counts" in my presence, the late Chief Guard was so much under the influence of liquor that had I not just received the communication containing his dismissal, I should have suspended him, and dismissed him off the premises.

Neglects in not Reporting.—This he also denies. I have to state that the late Chief Guard never reported an officer since his appointment to office. The guards did in the guard-room, in his presence, whatever they chose. In defiance of my orders, he would walk up and down the guard-room whistling and singing, of a night, so much so as to attract the attention of the corridor night patrols, while the guards would quarrel and wrangle in an unseemly manner without check. As I have stated in my reports to you, he would, when on duty and in charge, leave the Prison and remain away for hours. Upon one night the Deputy Chief Guard on returning to quarters at 7.30 p.m. (unexpectedly), as it was his evening on leave, heard the hospital bell ring; finding it was not replied to by the officer on duty (Mr. Beaumont), he himself went up, and found that one of the patients had been taken suddenly worse. The late Chief Guard was not forthcoming, and did not return to the Prison till 9.40 p.m., just before lights out; but as regards this practice, I can produce sufficient evidence to prove that it was constantly carried out; and so little regard had he for the discipline of the Prison and the execution of orders, that I have left for the city at 6 p.m., leaving the late Chief Guard as the officer on duty in charge for the evening, and that he, as soon as I had gone, *left also*, so that the Prison was of an evening left without the *supervision of a single superior officer*. Orders were issued by me for all the guards to be paraded and inspected by the Chief Guard prior to their mounting duty of a morning, in order that he might see that they were properly equipped, and correct in every respect. This duty I found was entirely neglected, and my detection of this neglect originated in one of the guards having left a loaded pistol in the dormitory, which had actually been taken possession of by a prisoner and hid away by him in a cell; and this guard never reported the absence of this pistol for eighteen hours, nor did the Chief Guard know anything about it. Upon another occasion Prison Guard Henry Langman, who was one of the guards for wall duty on the morning of the 5th of June last year, was passed by the late Chief as correct and fit for duty *when he was drunk and unfit for duty*, and his being in this state was accidentally discovered by the Deputy Chief Guard on his proceeding to his post, and Guard Langman was dismissed. The late Chief Guard remarks "That he cannot recall any case of neglect which an officer in his position was justified in overlooking," and also states that if he had reported all things during his service, scandals might have been brought to notice which, to the credit of the Prison, he deemed it his duty to suppress. My orders to him, from the day he was sworn in, were that all things connected with breaches of discipline and the rules and regulations of the Prison were to be reported to me by him personally. I have cautioned him time after time upon carrying out this order to the very letter, and to be most particular in observing and reporting to me upon the conduct of the officers in the guard-room. If he had obeyed these orders, the scandalous behaviour which was afterwards elicited upon your investigations—such as smuggling liquor into the Prison premises, tippling, intoxication, and the use of foul language, coupled with other conduct unbecoming the character of Prison guards—could never have taken place. All this the late Chief Guard must have been cognisant of, the performance in many instances taking place under his own eyes; and then he attempts to justify himself in the suppression of the information from me.

Irregularity in keeping Register.—The two cases in point, quoted in my communication, are sufficiently glaring to admit of no denial; these cases were never reported to me by the late Chief Guard. Upon my charging him with neglect in causing Lynch to be discharged before his time, he stated that it was the fault of the Bursar, who endorsed the convictions and notes for the register at the time that Lynch was transferred. Now the register is wholly in the late Chief Guard's own hand writing, and the entries must have been made from the copies of the convictions, and transfer returns, so the Bursar had nothing to do with making the entries in the register book. The Prison Clerk alluded to by him was brought into my office to assist the Bursar in making up his books and accounts, this prisoner had nothing to do with the late Chief Guard or with the books, and returns that it was his duty to keep and make up, and which a couple of hours' application a day on his part, would have sufficed to have kept filled up, and correct. Another instance of these irregularities (to use the mildest term) has come under my observation during the last fortnight, in prisoner Stephen Collins, being registered to be discharged on the 7th of April, whereas on reference to the copy of conviction, I found it to be the 27th April; on examination of the register again, the scratching out of the 2 before the 7 is as clear as noon-day.

Obstruction. To show you what little dependence I could place upon him, and his desire to obstruct me in doing, entailing great annoyance to me as "Warden," I have to state, that on a Saturday I informed the Bursar that it was my desire that he should be present at the measuring of the stone, and that information should be sent to him when a pile was in readiness. The Contractor Godson came into my office shortly afterwards, stating to me that the Bursar had left his office, and expressed a hope that I would allow him, the first thing Monday morning, to commence and haul away from a pile of stone that was in readiness for measurement, and that he would come up early on Monday when the Bursar was present and have the pile measured, accounting for the loads that had been taken away. I complied with his request, and instructed the Chief Guard personally about it *in the presence of the Contractor.* Upon Monday morning at 8.15 a.m. I was out in the front grounds conferring with the Deputy Chief Guard upon steps to be taken for the prevention of another flood, which the rise of water threatened. I shortly afterwards went into the office and remained there till 10 a.m. I then returned to my quarters till 10.30, and during that time noticed the contractor driving out through the front gate. Immediately afterwards I remarked to the Chief Guard, that the contractor had been here. He replied yes, sir, *he came to see the Bursar,* as he could not take away his stone in his absence, and the Bursar has not come. Shortly after I discovered that the contractor had naturally enough asked to see me, when Mr. Beaumont coolly informed him "that the *Warden did not wish to be disturbed.*" I have recently found this was so frequently replied to gentlemen coming from the City and Yorkville to see me, in the same tone. The late Chief Guard complains that a subordinate officer *had my confidence.* True, the Deputy Chief Guard had my entire confidence, which was transferred from Mr Beaumont a few months after the latter had been sworn in, as I soon found out that the late Chief Guard was not to be trusted, and well has Mr Stedman fulfilled the trust reposed in him, for by his watchfulness, truthfulness and energy in the discharge of duty, he has rendered me very important service, counteracting to a great extent the evil influences upon the welfare of the Institution, endangered through the appointment of such a character as the late Chief Guard, to such a position of trust. In the beginning of last year when there were about 330 prisoners in the Central Prison, and no employment for them but drill, and but few guards, a report was circulated that an attempt would be made to escape and that assistance was expected from outside; of course I felt very uneasy, especially at having so large a number of prisoners with no employment to keep their minds occupied. Upon my visiting the Prison at a late hour one night, and passing through *my office* I happened to open the drawer of a little table which stood against the south window to look for a pencil, the drawer was not locked, and you may imagine my surprise when I discovered lying in this drawer the keys of the "Prison Proper," so that any one might have opened the window which is not barred, taken the keys, entered the Prison, and attacked the south corridor night guard. This culpable or perhaps wilful negligence, the late Chief Guard had been in the habit of committing for nights before it was discovered. *Since the man's removal,* the general management of the duties of the Central Prison has been conducted most satisfactorily to me, the strictest discipline combined with harmony prevailing in every branch of duty under the Executive Administration of Mr Stedman, the Deputy Chief Guard, assisted by Guard Edwin Newton, an intelligent retired Non-Commissioned Officer of the Royal Artillery.

I have the honour to be, Sir

Your obedient servant,

W. S. PRINCE,

Warden.

BOX 606, TORONTO, 3rd May 1876.

The Hon. S. C. Wood,
Provincial Secretary.

SIR,—Referring to the contents of your letter of the 29th March last, I beg to draw your attention to the fact that I am still awaiting the result of your communication to the Warden of the Central Prison.

In my letter addressed to you on 11th March, I begged you would grant me an investigation into the alleged charges that formed the ground of my dismissal.

I now respectfully renew that request, accompanied with the hope that it may take place at an early date.

An additional inducement exists for me to urge this request, in the fact that it has come to my knowledge that Captain Prince has made scandalous and unjustifiable assertions about me, and my only reason for not taking legal notice of the same, directly it came to my notice, was the fact that I was led to hope that an inquiry would take place into the truth or falsehood of the statements that brought about my unexpected and, in my opinion, undeserved dismissal.

I have the honour to be, Sir,
Your obedient servant,
JAMES BEAUMONT.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO 10th May 1876.

SIR,—With reference to your letter of the 3rd inst., I have now the honour to transmit herewith, copy of the charges preferred against you by the Warden of the Central Prison, Toronto, while acting as Chief Guard of the said prison.

I have the honour to be, Sir,
Your obedient servant,
J. R. ECKART
Assistant Secretary.

Mr. James Beaumont,
Box 606 P. O. Toronto.

BOX 606 TORONTO, 12th May 1876.

The Hon. S. C. Wood,
Provincial Secretary.

SIR,—I have the honour to acknowledge the receipt of your letter of the 10th inst., enclosing a copy of the reply of Capt. Prince, to my previous statements on the subject of my dismissal from the position of Chief Guard of the Central Prison, and in reply I beg to state that the charges preferred therein are quite capable of being disproved by documentary or oral evidence, before any impartial tribunal, their falsity proved, and the animus which prompted them made clear.

Among the reports suppressed, with which the Warden charges me, was that of a guard in charge of a gang of prisoners, who complained that he (the guard,) was unable to control the men, and keep them from laughing and talking, in consequence of the Warden appearing before them in plain clothes, with his hat on the back of his head, and so much under the effects of liquor as to become the laughing-stock of all in sight.

With this, as one example of what can be established on a proper inquiry, I beg, in conclusion to state that when I received my appointment, it emanated from the Government, and not from the Warden, and I did not for a moment suppose that they would allow my dismissal and my character to be vilified on the unsupported statements of any individual, without an opportunity being afforded of proving their correctness.

A reluctance to believe that such would be the case, has led to my remaining under the stigma so long as I have, in the hope that I would be afforded the opportunity of disproving the accusations made against me, without bringing the matter before the public

As, however, two months have now elapsed, and still feeling that the means adopted to secure, and the mode of carrying out, my dismissal, were at variance with the Statute and the rules laid down, I again most respectfully but earnestly urge that a full and impartial inquiry may take place, and that I may be allowed to employ counsel to assist me in the examination of witnesses to prove the incorrectness of the charges made, and vindicate my character which has been so cruelly traduced, as to prevent me either obtaining any other of the vast number of situations of which the Government have control, or obtaining employment in any respectable house of business in a city in which it is my desire with my family to remain. I respectfully ask the favour of an explicit reply to my request for an investigation and on the conditions named above, failing the receipt of which, I cannot be blamed afterwards, for taking such steps as I may deem best, to remove the stigma cast upon me, even if it should be the means of bringing to light many things, which for the interest and credit of those concerned, would be liable to remain in the shade.

I have the honour to be Sir
Your most obedient servant,
JAMES BEAUMONT.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 16th May 1876.

SIR,—I am directed to acknowledge the receipt of your letter of 8th instant, and to inform you in reply that your application for an investigation into the charges made against you when in the capacity of Chief Guard of the Central Prison, will be granted and a date for holding the same fixed on the return of the Inspector of Asylums from his present tour of inspection.

I have the honour to be, Sir
Your obedient servant,
J. R. ECKART
Assistant Secretary.

Mr James Beaumont, Toronto.

BOX 606, TORONTO June 7th, 1876

The Hon S. C. Wood,
Provincial Secretary.

SIR,—Referring to your letter of the 16th ult. informing me that an investigation into the truth of the charges preferred against me by the Warden of the Central Prison, would be granted, I have the honour to request that the said inquiry may take place at as early a date as practicable, and that I may receive due notice of the day fixed.

I have the honour to be,
Sir
Your obedient servant,
JAMES BEAUMONT

BOX 606 TORONTO July 3rd 1876.

The Hon S. C. Wood
Provincial Secretary.

SIR,—I have the honour to draw your attention to your communication to me of the 16th May last, informing me that an investigation should take place on the return of the Inspector from his present tour into the truth or otherwise of certain statements made by the Warden of the Central Prison, which formed the grounds for my dismissal from the position of Chief Guard, without any opportunity being afforded, of refuting the charges made against me.

I beg now most respectfully to state, that I have hitherto refrained (to my own disadvantage), while waiting the promised enquiry, from seeking other employment, and as I cannot afford to do this much longer I respectfully request you will at once adopt such steps as you may deem expedient to bring my case to an issue without further delay, in reminding you that it is now four months since my first appeal.

I have the honour to remain,
Sir,
Your obedient servant,
James Beaumont.

Box [illegible], Toronto, October 6th, 1876.

The Hon. S. C. Wood,
Provincial Secretary.

Sir,—Referring to previous correspondence and our conversations on the matter of my dismissal from the position of Chief Guard of the Central Prison, and particularly to my letter of the 13th May last, in which I request the privilege of employing counsel, on an investigation I beg to state that having duly considered your promise to personally conduct the same whenever it took place, and having also consulted friends in whom I have the most implicit confidence, I am fully impressed that the interests of justice and myself will be equally attained by leaving the matter entirely in your hands.

I will therefore abandon the idea of employing counsel, and trust you will give this subject your attention as early as convenient.

Your obedient servant,
James Beaumont.

INVESTIGATION INTO CHARGES MADE AGAINST JAMES BEAUMONT LATE CHIEF GUARD OF CENTRAL PRISON

13th October, 1876.

William Stratton Prince, sworn.—Am Governor of the Central Prison; was appointed in July 1873; formerly for fifteen years chief of police for City of Toronto.

As far as my memory serves me, Mr Beaumont never reported to me. He may have done so on a few occasions. The Deputy Chief Guard made the reports.

Things came out in the investigation held by Mr Langmuir in the fall of 1875, which proved that Mr Beaumont was cognizant of conduct detrimental to the interests of the Institution, such as wrangling and quarrelling on the part of the guards, and did not report to me. I may state that he never reported an officer to me. The guards did in the guard-room in his presence just what they chose, such as walking up and down the guard-room, wrestling, [illegible] at night. He himself would also do this, the guards wrestling [illegible] occasionally [illegible] about, leaving the Prison for hours together with [illegible] at his charge. One night the Deputy-chief Guard was returning to quarters at half-past seven, unexpectedly as he was coming off leave. The hospital bell rang, and he, finding it not replied to by the officer on duty (Mr Beaumont) went up himself, and found the patient much worse.

I put a letter marked A, containing the statement just made, as well as other charges and wrote it, so far as want of discipline in the guard-room is concerned, they were reported to me by others.

On the evening of the 7th March last, while taking the evening count, I considered the Chief Guard to be so much under the influence of liquor that if I had not received his [illegible] I should have suspended him. I considered the Chief Guard under the influence of liquor past one o'clock in the morning, on the occasion of the commitment of prisoner [illegible] on 28th September 1875. He was instructed to have relieved the Deputy Chief Guard at midnight. I found that it had not been done, and I went for the purpose of finding out

where the Chief Guard was. I found him asleep on his bed; I called him up and sent him to duty.

I questioned the Deputy Chief Guard as to the cause of his leaving without being properly relieved. He stated he had called to the Chief Guard, and could get no answer; he said the Chief Guard was lying on his bed. When I say under the influence of liquor, I do not mean that he was incapacitated for duty; but that, as Chief Guard, he should not have been in the state I found him. I have frequently noticed that Mr. Beaumont was under the influence of liquor in the day-time, but he was not drunk. It came under my notice that he would at times leave the prison keys in the office, instead of being placed in the armoury. I found the keys one night in the drawer in my office, and the drawer not locked.

Statement "A" put in by me, is correct so far as matters came under my personal notice, and when it refers to matters not coming under my personal observation, is correct as reported to me.

W. S. [illegible].

[illegible] [illegible], sworn.—Am Acting Chief Guard; held the position of Deputy Chief Guard up to 6th March last. I have seen Mr. Beaumont under the influence of liquor several times. The first time I saw him was at mid-day meal, about seven or eight months after the Prison opened. I went up to my room to find the Chief Guard, and found him lying on the lounge in the room. I asked him what was the matter, and he replied he felt sick, and told me to go to the Hospital and get the Hospital Guard to give him something. I can't say what it was; I brought it there and gave it to him, put a rug over him, and he went to sleep. I judged by his manner of speaking, his appearance, and the smell of liquor that he was intoxicated.

Another time, in June, 1875,—I cannot give the date,—he was sitting in the corridor as I passed through. Mr. Newton was present. I thought Mr. Beaumont was intoxicated, and called Mr. Newton's attention to it. It was between three and four o'clock in the afternoon. The night that prisoner Spackman hid himself away in September, 1875, I found him at midnight in his bedroom lying on the bed; I went up to him and spoke to him. He sat up in the bed and said he would be out in a minute and relieve me; thought he was intoxicated from his appearance and the smell of liquor. I have seen him several times more or less under the influence of liquor, generally towards the evening.

On one occasion last year,—I can't state the day or month,—he rang the prisoners down from their cells at ten or twenty minutes to six; his appearance at that time indicated that he was intoxicated.

The rules and regulations put in, marked "B," were approved [illegible] June, 1874, and the rules, &c., marked "C," were approved of 19th April, 1875. I have heard whistling and singing in the guard-room several times, and have heard Mr. Beaumont himself whistle and sing in the guard-room. I have reported several times the singing and whistling on the part of the guards; latterly I ceased reporting as nothing was done to stop it. I have frequently when in my room heard the guards disputing and talking loud in the guard-room, Mr. Beaumont being present and on duty. I don't know that I know the guards to discuss politics in the guard-room in Mr. Beaumont's presence. Guard Wall came home drunk one night, I cannot state the time, and was not reported by Mr. Beaumont. Mr. Beaumont was in the guard-room and on duty when Wall came in. Wall was so drunk that he got up and made his water on the bed next to him. On the afternoon of the 14th July, 1875, I came through the corridor and found a prisoner named Newbold under the influence of liquor. I told him to go up to the hospital; he refused to go, stating that the Chief Guard told him to stay down. I then put him up to the hospital; I reported him to Mr. Beaumont as being drunk. Mr. Beaumont ordered him to be placed in the dark cell until the return of Captain Fraser; it was my night off duty, and when I came back I was told by one of the guards that Newbold had been taken out of the dark cell up to the hospital. I spoke to Mr. Beaumont about it the next morning, and said I did not think it was right; he told me that he was Chief Guard and that I had nothing to do with it; I told him I would see the Warden about it. I spoke to the Warden about it, who ordered Newbold to be placed 48 hours in a dark cell for that and another offence, which other offence was fighting with prisoner Stanley.

At different times, I have when off duty and Mr. Beaumont supposed to be on duty known the guards to be absent who should have been on duty; for how long, I cannot say; one night at ten minutes past nine, I saw Mr. Beaumont, who should have been on duty Guard Dougherty and Guard Bollard coming out of Higgins' room; I cannot remember the day or month: it was about a month or two before Bollard was dismissed; I did not report it.

Adjourned until 2 P.M.

Resumed at two P.M.—Evidence continued.

R. *Everman.*—I came home one night in April, 1875; I heard some knocking up stairs at the hospital gate, and finding it continue, I got up. I went to the hospital and found prisoner Philip Wallace, who had taken an overdose of medicine, lying on the floor. I went to the guard room to find the Chief Guard Mr. Beaumont; could not find him in the guard room. I then went to the office and he was not there. I then went back to the prisoner and got him on to the bed; between half-past one and two, Mr. Beaumont and the hospital guard came to the hospital. Mr. Beaumont should have been on duty that night, as it was his night on, and my night off. When I came home there was no officer in charge owing to Mr. Beaumont's absence.

I have frequently come home at nights, when Mr. Beaumont should have been on duty and found that he was absent. I knew he was not in, as he would afterwards come into the prison. This would take place sometimes when Captain Prince was away. On the sixth June, 1875, I reported Guard Henry Longman for being absent without leave, and for being unfit for duty from the effects of liquor. The entry in the officers' misconduct book now produced, was made by Captain Prince on my report. The Chief Guard had passed him, Longman, as fit for duty, and marched him off for duty; Guard Longman came to me with his rifle in his hand, and said he was not fit for duty, that if he went on the wall he would fall off. He was not sick, he was drunk, he had been out all night. Mr. Beaumont came to my room; I told him that Longman was drunk; he called him back to the guard room and then he sent another guard in his place. I reported to the Warden, and he was dismissed for being drunk.

Orders issued by Captain Prince are written in the order book, and the rules require they should be read to the Guards by the Chief Guard: on several occasions this was not done. I cannot name them now except once, when Guard Newton was to take my place going by himself on leave. This [illegible] Guard Newton was not read[illegible]. I have seen the keys lying in the drawer in the office and the drawer not locked: keys leading into the prison proper and from there out into the yard. I did not report it. The keys were not in my charge, and having been told by Mr. Beaumont on other matters that it was none of my business, I did not interfere with the keys. At the evening count, the keys are collected by the corridor guards before the Chief Guard, and then placed in the armoury. As acting Chief Guard, my duty is to see that the front door key and all other prison keys are locked up in the armoury. About the 13th January, 1876, prisoner Page was about being discharged, and I discovered that his time was not up—from Guard Gifford. I reported to Mr. Beaumont, and on examination of the register he found that his time was not up and sent him back; his time was up on the 20th January, 1876, and he was discharged on the 20th, and Guard Gifford called my attention to the fact that prisoner Lynch was discharged before the expiration of his sentence. The entries in the register and the prisoners' discharge book now produced, showing that prisoner Lynch was discharged at the expiration of his sentence, are incorrect. The copy of sentence now produced shows that he was to serve eight months from the 31st May 1875, and should have been discharged on the 24th January 1876, and should not have been discharged on the 7th. Prisoner Stephen Collins was entered in the register book as sentenced for two years, and that term would expire on the 7th April 1876: the copy of sentence now produced shows that his sentence was terminated on the 27th April, 1876. I have found several irregularities in the Register.

Cross-examined by Mr. Beaumont.

It was the custom when Mr. Beaumont was Chief Guard, and is now, five minutes before the gangs are marched in, to bring the prisoners down who may be in the corridors. I have no recollection of ever having entered Mr. Beaumont's name on the Report Books. I don't know of any order or regulation requiring the Chief Guard to remain in the guard room during the time he is in charge of the Prison: the Farmer keeps the keys of his own department: the Warden has three keys, one for the outside grated gate, one for

blind door inside the grated gate, and one for the door leading from the dining hall into the yard; these keys are not locked up in the armoury, but are kept by the Warden.

Page was admitted into the Prison on 2nd February 1875.

Lynch, on 29th May 1875.

Collins, on 3rd June, 1874.

RICHARD H. STEDMAN.

EDWIN NEWTON sworn.—I was appointed Guard 6th July 1874; have acted as Deputy Chief Guard since 5th March, 1876. About September 1875, Mr Beaumont came into the north wing and sat down, and was talking about some matters connected with the north wing. Mr Stedman came in, and in a few minutes afterwards Mr Beaumont went out; after he went, Mr Stedman remarked to me that Mr. Beaumont had just about as much as he could carry; I did not see anything in Mr Beaumont's appearance or in his conversation that would lead me to believe that he had got as much as he could carry, or that he was intoxicated.

I recollect the prisoners were formed up one day about twenty minutes before the regular time; I saw Mr. Beaumont before me, I thought he was sober; he was certainly confused, and there seemed to be something wrong.

Cross-examined by Mr BEAUMONT:—Since I came to the Prison, up to March, 1876, when an investigation took place, I never saw any signs of drink on Mr. Beaumont; after that, I did, at different times, see signs of drink on him; but in my opinion he was always fit for duty; I could not see any difference, so far as his attention to prison duties were concerned. I have never known that Mr Beaumont absented himself from the Prison when he ought to be on duty. The evening before Mr. Stedman went away on leave, Mr Beaumont came to me and said the Warden had put me in orders to perform Mr Stedman's duty during his absence, and that in addition, the Warden required me to take charge of the north wing. I have never, myself, when not in the guard room, heard Mr. Beaumont either singing or whistling in the guard room; I have, when in the guard room with Mr Beaumont, heard him humming a tune and whistling, but not loud, and not to interfere or disturb any one in the guard room or prison. I don't recollect that Mr Beaumont neglected at any time to collect the keys at evening count.

E. NEWTON.

DANIEL CUNNINGHAM, sworn.—I am cook and baker of the Central Prison; I was appointed on 6th May 1876; I remember the Warden being called away to attend his brother's funeral, in July last; the night the Warden was expected home, I saw Mr. Beaumont standing first at the Warden's door, and then at the south door of the Prison; I thought he was under the influence of liquor. I did not speak to him. I judged from his appearance. I cannot state the time; it must have been after eight o'clock in the evening.

D. CUNNINGHAM.

DANIEL KIRKPATRICK, sworn.—I am Prison Guard. I was appointed on the 11th September, 1875; on the 18th February 1876 I saw the late Chief Guard, about 8.30 p.m.; he was strongly under the influence of liquor; he was on duty; his appearance and manner led me to believe him strongly under the influence of liquor; a little before ten the same evening I saw him, and he was drunk. I saw him going into his bedroom, and he staggered; he should have received the keys from me and other guards, but did not; Guard Dean received the keys; no person but Guard Dean was present. I never saw Beaumont drink any liquor in the Prison grounds. I have seen Mr Beaumont at the front gate of the grounds when on duty. I have seen him go out of the building when he was on duty, but whether he absented himself I cannot say.

Cross-examined by Mr BEAUMONT:

I don't remember of hearing Mr Beaumont whistling. I said it was the duty of the Chief Guard to receive the keys at night. I judged so, as it was the constant custom then and is so still.

DANIEL KIRKPATRICK.

SAMUEL DEAN, sworn.—Am Prison Guard; was appointed in May, 1873; I remember the 12th February, 1875; I saw the Chief Guard that night; I was guard on duty in the guard-room; at ten o'clock at night I went to Mr. Beaumont's room and found him in bed and asleep; I tried to wake him; I wanted to tell him I was going to lock up the front doors; he did not wake up; I then went down and locked the front door and then received from Guard Kirkpatrick the key of the south corridor door, and locked the grated door and kept the key; I went to go into my own room, and by that time Mr. Beaumont was up, and he stood in his bedroom door, and he asked me if I had locked up; I could not say whether he was under the influence of liquor or not; I saw Mr Beaumont on the 21st June, 1875, on the day of the escape of the prisoner from the rear grounds; Mr Beaumont was on duty; I saw him after ten at night; I was south corridor Guard at the time; I thought he was under the influence of liquor; I judged so from his general appearance and conversation; that night Guard Hardie, who was night guard, was out of the Prison; I let him in at half past twelve; when the bell rang I thought it was the Bailiff, with prisoners, and on going down, found it was Hardie; he should have been on duty from six p.m.; I did not know he was out until I saw him at the door.

Cross-examined by Mr BEAUMONT:

I never knew Mr Beaumont to whistle or sing in the guard-room to such an extent as to attract the attention or disturb the guards; I never heard any wrangling or quarrelling in the guard-room when Mr. Beaumont was present, during the time he was Chief Guard.

S. DEAN.

Adjourned till 10-30 to-morrow

Investigation re-opened, Tuesday, 31st October, 10.30 a.m.

Mr Beaumont called Captain Prince—Captain Prince produced officers' offence book, in which on 12th June, it appears that Chief Guard Beaumont reported the following officers:—1st, Alfred Elliott, 12th June, 1873; 2nd, Michael English, on the 20th October, 1873; 3rd, William Dougherty, 8th October 1874; 4th, Daniel McCarty Stewart, 24th October, 1874; also, same person, 25th October, 1874; 6th, George Mesler, February 15th, 1875; 7th, [illegible] [illegible], 16th February, 1875; 8th, [illegible] [illegible], 21st June, 1875. Order book produced. In order issued 18th April, 1873 the following order appears:—"The Chief Guard shall reside upon the premises, occupying the room set apart for him in the guard room which is the south room."

The following order appears under date of August 17th:—"Persons are not to be allowed to loiter and wait about the prison grounds and offices, with a view of seeing the Warden or other Prison Official; in case the presence of the officer inquired for is not at the time available, the inquirer is to be instructed by the guard to leave a message or memorandum as to his business, and then leave."

W. S. PRINCE.

WILLIAM HARDIE, sworn.—Am night guard and stoker for the Central Prison; was appointed two months after the prison opened. I remember the 21st June, 1875, when three prisoners escaped from Guard Mansell. I was sent by Deputy Chief Guard up to the field to assist in finding them. I joined the Warden's party on the other side of the field. The Warden instructed me to proceed after them, and that he would return and search an orchard close at hand; this was between seven and eight o'clock in the evening. I returned to the prison about 12 o'clock.

WILLIAM HARDIE.

WILLIAM GIFFORD, Guard, sworn.—Am Prison Guard; I was appointed at the opening of the prison. I never heard the Chief Guard whistling and singing in the guard-room in such a manner as to disturb the guards. I never knew Mr Beaumont when on duty to allow quarrelling and wrangling amongst the guards. I remember one occasion in which a pistol was found in a prison cell. I paraded that morning with a pistol, I had Guard Jaraske's pistol. About ten minutes after the parade, I went to Mr. Beaumont and told him the pistol found in the cell was mine. It is the custom for the Chief or Deputy Chief when on duty to lock the front gate of the grounds at night. I remember the guards giving a party at the Fort; Mr. Stedman was present, he was the officer on duty that night.

WILLIAM GUTHRIE.

HENRY EATON, sworn.—Am Prison Guard; was appointed at the opening of the prison. I never knew the Chief Guard to whistle or sing in the guardroom in such a manner as to disturb the guards. There was wrangling at one time between Mr. Stedman and Doherty, but the Chief Guard was not present. I never saw any wrangling when Mr. Beaumont was present. It was the custom of the Chief Guard or Deputy Chief Guard when on duty to lock the front gate of the grounds. The locking of the corridor gates was often left by the Chief Guard and Deputy Chief Guard to the guards on duty in guard-room. In such cases the keys were taken to the armoury; the small keys taken to the Chief or Deputy Chief Guard, and a report made that all was locked and correct. I never saw the Chief Guard unfit for duty through drink.

H. EATON.

FREDERICK HILL, sworn.—Am Prison Guard; was appointed about March, 1876. I never knew the Chief Guard to whistle or sing in the guard-room in such a manner as to disturb the guards. I never knew the guards to quarrel or wrangle in the guard-room when the Chief Guard was present, without being checked. It was the custom of the Chief or Deputy-Chief Guard to lock up the gate at the front of the grounds, when on duty. I never saw the Chief Guard unfit for duty through the influence of drink.

FREDERICK HILL.

HAMILTON LYONS, sworn.—I am gate guard; I was appointed at the opening of the Prison; I never heard Mr. Beaumont whistle or sing in the guard-room in such a manner as to disturb the guards; whenever there was any wrangling in the guard-room, if Mr. Beaumont was present he checked it. I remember the 7th March last, Mr. Beaumont paraded Wall Guards as usual; on that occasion he was not the worse of liquor; I never saw him the worse of liquor.

HAMILTON LYONS.

THOMAS SHORT, sworn.—Am Bursar for the Central Prison; was appointed at the opening of the Prison. Up to about April, 1877, I computed all the sentences. I entered them in pencil in a book, and also made an entry on the back of the papers; from the entries made by me in pencil Mr. Beaumont copied into another book in ink. I frequently compared them. I made the entries from convictions; any information contained in the convictions I accepted. I entered the termination of sentence as being the same day of the month as the date mentioned in the sentence. I was directed that the sentence must be made one day sooner, which caused several errors in the book.

Adjourned till 4 p.m. THOMAS SHORT.

Resumed at 4 p.m.

CAPT. PRINCE, Warden of the Prison, recalled.—The copy of a letter to the Inspector from me, bearing date 17th April, 1876, and marked "C." now put in.

(Copy of Letter marked "C.")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, April 17th, 1878.

SIR,—I have the honour to inform you that upon my discharging prisoner James Brown, on the morning of the 16th inst., the sum of $12 belonging to the prisoner, and which was supposed to have been placed with his purse and pocket-book in an envelope by the late Chief Guard (he having endorsed the envelope to that effect) was not forth coming. [Endorsement—Received $18, the property of a discharged prisoner Jas. Brown not forthcoming]. James Brown was transferred from London Gaol to the Central Prison, on the 21st August, 1874, and at that time Mr. Short registered the prisoner's property, and having handed it over to the Chief Guard, the latter placed it in a parcel, or envelope, and after endorsing the same, deposited it in the safe. From the mouldy appearance of the package, it is evident that it has not been opened, or moved, since it was placed in the safe; and it is also very evident, that although the envelope was endorsed by the late Chief Guard, as follows:—

No. 262, 'James Brown,' leather pocket-book, 2 purses, $18.68, the $18 were never placed in the envelope. He (James Brown) being a two years' man, I of course paid the owner $18, and I trust, under the circumstances, the Government will authorize my being reimbursed."

Your obedient servant,
W. S. Prince,
Warden.

Which contains a true statement of the facts alleged therein. Mr. Stedman went to the safe for the package referred to in letter "C"; I was in the office at the time; it was all covered with mould; had three or four India rubber straps round it; I saw it opened.

Cross-examined by Mr. Beaumont.—It is not customary for Mr. Stedman to open the various packages belonging to prisoners in my presence when they are discharged, but he always shews it to me. I always see the money; there were no money packages given out, so far as I recollect, between 6th March and 16th April.

W. S. Prince,
Warden.

Thomas Short recalled.—I remember the prisoner James Brown; I always counted the money found on prisoners. I remember counting the money found on James Brown. I placed it in the package after counting it: $18 bill, 65 cents American scrip, 3 cents silver, 2 pocket-books; it is in my hand-writing; the other writing is Mr. Beaumont's; the book produced is the prisoner's property and receipt-book in use at that date; the entry "262, James Brown, two leather pocket-books, $18 bill, 65 cents American scrip, 3 cents American silver" was made by me. I put the package in a tin box I had for the purpose, and locked it up. In January, 1875, there was an order for me to hand over all prisoner's property to the Warden, and I complied with the order. I took the book and handed it over to Mr. Beaumont, package by package. I can't say that I opened this particular package on delivery to Mr. Beaumont. I am satisfied the money was there when I handed it to him. I have no doubt.

Thomas Short.

Captain Prince re-examined.—I have no doubt the package could not have been opened within six months of the time I saw it, as it was all covered with mould, and in taking off the rubber bands the marks were well defined.

W. S. Prince.

Mr. Beaumont states that he got the package referred to from Mr. Short; that he had no doubt the money was in it at the time; he has not seen the package since until to-day; he did not touch any of the packages received from Mr. Short, unless the prisoner owning the same was being discharged; he put all the packages received from Mr. Short in the safe, and believes they were there when he left.

Attest. S. C. Wood.

Captain Prince, recalled.—Had I known there was any large sum of money I would have checked the contents of the package with the book at the time Mr. Beaumont left.

W. S. Prince,
Warden.

Richard Stedman, sworn.—I searched for the money registered as belonging to prisoner James Brown, at the time of his discharge; previous to this, I knew nothing about the money; the first I heard was when he was leaving; that was the first money of any consequence that was asked for by any prisoner after Mr Beaumont left, up to that time, except now and then a few five cents; the package was mouldied and bore the appearance of not having been opened for some time; I have never received instructions to write for money, and there has been no money to write for that I know of, since Mr Beaumont left; Mr Newton and myself had charge of the key of the safe, Mr. Newton only having charge during my absence.

RICHARD H. STEDMAN

CAPT. PRINCE, recalled.—I put in letter marked "D."

(Copy of Letter marked "D.")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 5th May, 1876

To the Inspector of Prisons.

SIR,—I have the honour to report to you the following information obtained by me, connected with the sum of $12.87, the property of prisoner Frederick Willis, which is missing since the dismissal of the late Chief Guard. Prisoner Frederick Willis stated that there was $12.87 belonging to him in the prison. Being aware that the sum of only $1.00 was in his possession at the time of his transfer, which was duly registered in the property book, I referred to that book and found a memorandum in pencil inserted underneath the original register as follows, "A parcel from Hamilton." This must have been written some months after the transfer of Willis. The parcel not being forthcoming, and only $1.00 as registered, I sent for the prisoner Willis who made to me the statement annexed, and marked "A."; after getting this statement I wrote to the police officer who arrested him, a copy of which letter is herewith annexed and marked "B," to which communication I received the following replies, marked respectively, "C" and "D." I recollect the late Chief Guard applying to me for leave to proceed to Hamilton one day, and alluded to obtaining information about a prisoner named McCulloch, who had made his escape. In the interest of justice this man Beaumont should be prosecuted, and I think the best mode of proceeding would be for the prisoner Willis to lay an information against him before the Police Magistrate, upon a charge of embezzlement, or for larceny, such stealing, taking and carrying away.

I have the honour to be, Sir,
Your obedient servant,
W. S. PRINCE,
Warden.

It was addressed by me to the Inspector on the 5th May 1876, contains a true statement of the facts alleged therein. The letter marked "E," now put in :—

WARDEN'S OFFICE, CENTRAL PRISON,
May 1st, 1876.

To M. J. McMenemy, Police Force, Hamilton.

SIR,—I shall feel obliged by your informing me under what circumstances did Mr Beaumont, the late Chief Guard of the Central Prison, receive a sum of money from you in February, 1875, the property of Frederick Willis? Whether you paid it to him personally, and if so, when did the payment take place, and whether he applied to you for the money?

Be good enough to inform me of the particulars of the case?

Your obedient servant,
W. S. PRINCE,
Warden, C. P.

Is a true copy of a letter I addressed to Sergeant McMenemy on the 4th May, 1876. The letter marked "F."—

HAMILTON, May 2nd, 1876.

Capt. Prince, Central Prison, Toronto.

SIR,—James Beaumont, Chief Guard Central Prison, called at this office on the 8th February 1875, and told me that he was authorized by Fred. Willis to get from me the money and other property I had belonging to him (Willis). I gave Mr. Beaumont twelve dollars and eighty-seven cents, and some other small articles of Willis's for which I took Mr. Beaumont's receipt, which is attached to the receipt book in this office.

I remain, yours respectfully
A. McMENEMY.

Is the reply I received from Mr. McMenemy and the copy of a receipt—

"Received from A. McMenemy $12.87 purse and pair of scissors, property of Fred. Willis.

"JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February 1875."

Is the one referred to in Mr. McMenemy's letter and was enclosed in his letter. Statement now put in marked "E"—

"Frederick Willis, prisoner Central Prison, states as follows:—

"Two Detective Police Officers arrested me in the Market Hotel, Hamilton on the 17th August, 1874. They searched me in the Hotel and took from me a small leather wallet containing $12.87. The officers took possession of it and stated they would forward it to the gaol. I was transferred to the Central Prison with one dollar on my person. I mentioned the fact of the police having my wallet and money, to the officer in whose charge I was transferred (Mr. Stedman). Shortly after my arrival at the Central Prison, I spoke to Mr. Beaumont about the money. He said he would write for it. After some weeks had elapsed, I spoke again to Mr. Beaumont, who stated that he had not received an answer, but that he would write again. A few days after this Mr. Beaumont told me that the Chief of Police at Hamilton had the money and that it would be forwarded here, and in about a week after the information, Mr. Beaumont told me in the dining hall that he had received the money.

"F. P. WILLIS."

was made by prisoner F. P. Willis, the owner of the money, while a prisoner. I think it was the acting Chief Guard who stated that Willis was complaining that money had been kept from him and knowing that only one dollar was found on Willis at the time he entered the prison, I sent for him and the result was the investigation. I never heard of the money until this summer and never gave any instructions to Mr. Beaumont to go to Hamilton to get money nor to write for any money. I never received by express or mail any money for Willis. I don't remember ever receiving any money by mail from a Court or a police officer for a prisoner.

I know by the register that there was a dollar belonging to him and on opening the package found the dollar. I produce the prisoner's property book in use at that time, in which the registry "No. 281 Frederick Willis, bill one dollar (in ink), then beneath, in the writing of Mr. Beaumont, I think in pencil, the following:—" and parcel from Hamilton. (I never saw the parcel).

W. S. PRINCE.

MR. BEAUMONT states.—I received the money placed it in the safe with the envelope containing the one dollar in registered, the packet was neatly done up; the date I received the packet was 8th February 1875. I made the entry on the property book in pencil to distinguish it from the entry made by Mr. Short; the statement by prisoner Willis is correct in every particular; at the time Willis told me about the money being in Hamilton I reported it to the Warden, who told me to write for it; when I got the money I must have reported it to the Warden,—I can almost swear to it.

(Attested) E. C. WOOD.

RICHARD STEDMAN recalled.—Some time after Mr Beaumont left, prisoner Willis told me to give a prisoner going out two dollars; I told him it was not allowed, a prisoner not discharged could not give his money to another prisoner. Some time after he asked me again if he could get his money to buy some clothes; I said, What money? He replied, Twelve dollars in the safe. I said, You have no such money, Willis, all you have is one dollar; he said he was sure he had, as Mr Beaumont told him at dinner table one day, that he had received a note from the Chief of Police at Hamilton, with his money; I reported the conversation to the Warden, between the time that Willis asked me first and his second conversation; I went to the pigeon hole and brought out to the Warden all there was in the safe, which was a yellow envelope and one dollar.

RICHARD H. STEDMAN.

Investigation continued, 3rd November, 1876, 4 p.m. :—

ALEXANDER MCMENEMY sworn.—Am sergeant in the police in Hamilton; I know Mr Beaumont; I first saw him in the Central Prison; I was in the Prison on two occasions; I once took a prisoner from here to Hamilton. I saw Mr Beaumont in Hamilton on the 8th February, 1875; that may not be the correct date; I believe it to be the correct date. I saw him in the afternoon, in the neighbourhood of five o'clock at the police office in the City Hall; he mentioned something about a prisoner who had escaped, and said to me that Willis had ordered him to bring the money I had belonging to him, down to the Central Prison. I gave Mr Beaumont the money; it was a ten dollar bill, a two dollar bill, a sixty cent piece, and a twenty-five cent piece, a penny, a purse with a clasp on, and a pair of tweezers; I got him a sheet of paper and he wrote the receipt I now produce on my receipt book; it is known as a receipt book, and is kept for the purpose of taking receipts for moneys or property coming into the hands of the police, and delivered to the owners. The following is a correct copy of the receipt referred to :—

"Received from A. McMenemy, twelve dollars and eighty-seven cents, purse, and pair of tweezers, property of Fred Willis.

"JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February 1875."

Previous to saying that Willis ordered him to get the money, he asked if I had any money belonging to Frederick Willis, and I said I had; there were three or four policemen present when I gave him the money; Detective Rosson was one. I have not seen Mr Beaumont since until to-day. I never sent a parcel by post of that description in my life; if I had sent it by post, I would have registered it; if a letter had been sent, asking for money to be sent to the Central Prison, in all probability it would be on the file kept by the Chief of Police.

A. MCMENEMY.

Adjourned until Tuesday the 7th instant.

Investigation resumed, 7th November 1876, 3 p.m. :—

Mr. Beaumont put in statement marked "B.B."

STATEMENT OF JAMES BEAUMONT late Chief Guard Central Prison of Ontario.

TORONTO, 3rd November 1876.

1st. In answer to the Warden's charge of being frequently under the influence of liquor I deny it; the evidence confirming such statement emanating from Mr Stedman only, whose motive in supporting the Warden to secure my removal was always apparent. The only particular instance which the Warden gives, and states was clearly observable and remarked by the guards, having been denied by the first witness called upon after Stedman, who, it is shown, never spoke to me. The evening of the 7th March, 187 being subsequent to the preferment of the charges upon which my dismissal was based should not be entertained in supporting this charge anyhow, it has been denied by evidence upon oath. Guard Kirkpatrick's evidence of one instance included in the charge, is clearly untrue, as he states he saw me at 10 o'clock. Now it has been proved I did not come outside of my room at 10 o'clock at all. It was impossible for Guard Kirkpatrick, who was locked in the corridor, to see me. Moreover, Guard Dean, who spoke to me swears he could observe no such sign. The evidence of the cook and baker is, to say the least, unreliable, inasmuch as he states he saw me but did not speak, and that was while I was standing under a portico after 8 p.m., in a place where there is not a single outside lamp. Emphasis seems to have been put on the fact of my being on my bed at midnight when prisoner Spotheran was missing. It should be observed that until I was called, the bed was my place. I distinctly deny having tasted liquor on that day.

2nd. The Warden's charge—that I "never reported an officer since my appointment to office" has been so clearly established to be false by his own hand-writing in the officers' offence book, which shows no less than 3 cases,—as to require no comment.

3rd. The charge—that I was in the habit of whistling and singing in the guard-room and allowing guards to wrangle and quarrel without check, I most emphatically deny, and have proved its falsity in every respect, no guard having confirmed the statement, but on the contrary, all denying it.

4th. The Warden states I would leave the Prison when in charge, and remain away for hours together. This practice, which I most positively deny ever having been guilty of, on any single occasion, has also been rebutted by every evidence except that of Stedman and he only says he saw me off the grounds on one occasion, and then in company with two guards, viz., Ballard and Doherty, the names of these two guards having obviously been selected as they have left the Prison, and their whereabouts unknown. It should further be remarked that, although Stedman says, on the occasion referred to, he knew I was on duty he admits he did not take any notice of it at the time neither can he, in this, as in most other cases, give any idea of the date. The statement itself is entirely uncorroborated, and most decidedly false. With respect to the case of the man in the hospital being taken worse, and [illegible] not [illegible], it will be noticed that it was in April, 1875, long previous to the time I was first ordered to sleep in the Prison, and up to which time I always left the premises immediately on Stedman's return; he states himself he was in bed at the time, therefore, it is perfectly certain I had left, as we were never on the premises together at night, prior to the issue of the order above referred to, on the 12th April, 1876. The Warden states he would bring ample witnesses forward to prove this practice being of constant occurrence and, although every opportunity has been afforded him to do so, he has not only entirely failed, but his assertion is contradicted.

5th. With respect to my not having missed a pistol, which should have been worn by a guard on parade, for 16 hours afterwards, the statement is not only false, but entirely one of hearsay evidence. The guard in question having sworn that he did wear a pistol on parade and informed me of his own being missing ten minutes afterwards; further, I was myself in possession of the pistol in question before parade took place.

6th. The Warden has also been entirely misinformed respecting Guard Longmate, as I am prepared to swear I never paraded him for any duty whatever that morning, which his [illegible] herewith enclosed will show and which fact can be further proved if necessary.

7th. With reference to certain scandalous behaviour on the part of the officials of the Prison which was alluded to on an investigation held by the Inspector of Prisons some time ago it will be seen by the proceedings of that investigation, that I was neither on duty nor in the Prison on the night referred to, Stedman being in charge; yet, the Warden asserts I must have been aware of it; the assertion is entirely void of truth and [illegible] evidence.

8th. In the matter of the keeping of the registers, I consider the explanation afforded the inspection of the books, and the evidence of the Bursar clearly proves to any unprejudiced [illegible], that no irregularity has been fixed on me whatever the sentences not having been computed by me, but merely copied from the Bursar's entry [illegible] the [illegible] were at that time.

9th. The Warden's statement about the contractor and other gentlemen having been informed by me that they could not see the Warden, is true, so far as Mr. Godson is concerned. The gentleman called up early one morning before the Warden was about, and I informed him of my instructions as per order of the 17th August, 1875, on which he left. Mr. God can will state that the Warden was not in the front grounds at the time, and as he asserts.

10th. In the matter of the keys, it has been clearly established that, the three keys not locked up, were the three keys in charge of the Warden, and which he sometimes kept in the office and sometimes in the house.

11th. Further, the charge of my neglecting to countermand the Warden's orders was tried to be supported by Stedman's single evidence, and that hearsay, Deputy Chief Guard Norton, swearing quite the contrary on personal knowledge.

12th. During the course of the enquiry, the Warden endeavoured to establish an act of neglect on my part, in allowing Guard Hardie to absent himself from the Prison a portion of the night on the 31st June, 1875. Now, it has been clearly established, on the sworn testimony of Guard Hardie, and is well known to other guards, that Guard Hardie formed one of the Warden's searching party on the night in question, and was ordered by the Warden to continue proceeding westward, about two miles, and it was then 9 p.m. Without going further into the details of this matter at present, it must be obvious that the charges brought against me by the Warden, stand, not only in a large part uncorroborated, but positively refuted. It may have been noticed that, in the evidence of Stedman, the most essential point, viz.:—The fixing of dates for particular acts, was quite ignored, which cannot be considered satisfactory. That my position as Chief Guard, was in every possible way made uncomfortable, was patent to all, and is also evident from the framing of my duties in the last issue of the by-laws, which not only details more work than any one man could reasonably perform, but directs me to be incessantly on duty, day and night. To add to this, I was repeatedly being called upon by the Warden to attend to matters connected with his domestic household, which I could not but consider derogatory to the position which I held and which the accompanying documents will show. I believe, this was done to bring my position down to a level with Stedman's, who voluntarily performed such menial offices, as washing the Warden's dogs, assisting to decorate his dinner table, &c., while he should have been employed on the duties of [illegible] Having served over 10 years in H. M. Army [illegible] as a non-commissioned officer without having given a single occasion for the charge of intemperance, I consider due care should be shown in accepting the evidence against me from a man who, during his service in the police, was not recognized by the public as of temperate habits himself, and whose acts of intemperance since his appointment as Warden can be proved. Taking everything into consideration I respectfully submit that, my dismissal was brought about, first, by false statements made to the Warden by an individual who was interested in securing my removal, and secondly by the evident desire of the Warden to depose me, leading him to exaggerate and add to their untruthfulness, and upon whose mere recommendation my dismissal was summarily granted in an unjustifiable manner on the grounds that a precedent can be found in the acts of another country. In conclusion I consider that the necessary steps as required by existing rules not having been taken was to act contrary to the law and renders my dismissal unjust and illegal.

(Copy of Letter from Guard Langman, referred to.)

School of Gunnery
Kingston May 27th, 1876,

M. Bernard,

Sir,—I am writing this letter for Langman, in consequence of his being in hospital and unable to do so himself. On the Monday morning that I returned to the Central Prison, a little the worse of liquor I was not paraded by you or passed for duty, but was ordered to remain in the guard-room, that was before I had been on any duty that day. The above statement I am prepared to swear as being true. Any further information required in reference to the foregoing I will be most happy to give.

I am, dear Sir, yours respectfully

H. Langman.

Edwin Newton, recalled.—I recollect a prisoner, a carpenter I think, his name was Clarke, it was either Clarke or Smith, putting up pigeon holes and fittings for books in the safe of the Warden's office after Mr. Beaumont had left; it may have been some seven or eight days.

E. Newton.

W. H. Aikins, sworn.—Am surgeon for the Central Prison; was appointed at the opening of the Prison; I remember in 1874, on visiting the hospital, I was told that a prisoner named Williams, who was in Hospital, had taken an overdose of medicine; the prisoner was over the effects when I came.

Adjourned.

Resumed.

John English, sworn.—Am prison bailiff; was appointed at opening of Prison, about two years ago; I think in July 1874 I was at the Central Prison in the office of the Warden; the Warden handed me a letter to the Chief of Police at Hamilton; my recollection is that it was a letter from Capt. Henery to the Warden, and that the Warden wrote on the other side of Henery's letter the order to send the money here by me. I took the letter to Hamilton, called at the Police office, enquired for the Chief, who was absent. I then told one of the sergeants what my business was, and he referred me to Detective McMenemy; he had the money. I said I had not time to wait, and that I did not know Mr McMenemy, but to tell the Chief to send the money to the Warden and he would send a receipt.

John English.

Adjourned.

Original Papers referred to in the investigation of the charges preferred against Chief Guard Beaumont of the Central Prison.

Hamilton 8th Nov 1876.

Capt. Prince,
Central Prison.

Sir,—Enclosed please find declaration from Rosseau and Capt. Henery in the Beaumont matter. I think that ought to convince even Beaumont himself, that he is mistaken. I am sorry I could not have sent them sooner.

I remain, Yours &c.,
A. McMenemy
Serg't.

I, John B. Rosseau, of the City of Hamilton, in the County of Wentworth, Constable, do Solemnly declare, that Detective McMenemy and I arrested Fred. Wills together. Mr Menery took possession of his money and things, and I saw McMenemy pay Fred. Wills's money to a guard from the Central Prison, in the Police office, in the City of Hamilton. The money was paid to a guard that was making inquiry about a man named McCullough, who broke out of the Central Prison. I also saw him, the guard, write a receipt for the money in the Police office at Hamilton.

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra-judicial oaths."

Declared before me, at the City of Hamilton, in the County of Wentworth, this 8th day of November, A. D. 1876.
James Cahill,
P M & J P

John B. Rosseau.

I, John Henery, of the City of Hamilton, in the County of Wentworth, do Solemnly Declare, that in February 1876, I was Chief of Police of the City of Hamilton. I received a letter from Capt. Prince, dated the 27th January 1876, in reference to Fred Willis' money and in the beginning of February I remember McMenemy who was then detective, coming into my office and telling me that he had paid Fred Willis' money to James Beaumont, Chief Guard, Central Prison, and at the same time producing Beaumont's receipt for the same, which he attached to the receipt-book kept in my office. I am positive the money was paid to Beaumont in the Police office in this city.

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me in the City of Hamilton, in the
County of Wentworth this 9th day of November
A. D. 1876.

J. White, Jr.

A Commissioner, &c., in B. R. & C. in and for the County of Wentworth.

John Henery
Late Chief of Police.

18th April, 1876

SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, informing me that on your opening an envelope, said to contain the sum of eighteen dollars, taken off the person of Prisoner James Brown, the said money was not found enclosed therein, and stating further that such package had been made up and was placed in the care of ex-Chief Guard Beaumont. Before recouping you for the amount which you state you have paid over to the prisoner I must make further enquiries into the matter with a view of discovering who has been guilty of abstracting the money, in order that such person may be prosecuted criminally.

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector of Prisons.

Captain Prince,
Warden of Central Prison, Toronto.

Extract Conviction—The Procurator Fiscal against James Beaumont.

At Perth, the third day of May eighteen hundred and sixty-one years. In presence of Hugh Barclay, Esquire, Sheriff-substitute of the County of Perth, and a jury sitting in judgment in a Sheriff Court of the said County, lawfully fenced and affirmed, anent the criminal libel or complaint raised at the instance of John McLean, Procurator Fiscal of Court for the public interest, against James Beaumont, now or lately prisoner in Perth prison, accused of the crime of Theft, or Reset of Theft, of a silver or other metal watch, actor or art and part. And at calling of said criminal libel or complaint, upon the date hereof in presence of the said Sheriff-substitute, compeared the panel and the libel having been read over to him, and he having been interrogated thereon, he answered that he was guilty of Reset of Theft, as libelled. The Procurator Fiscal accepted of the said plea.

JOHN THOMAS.

The Sheriff, in respect of the foregoing judicial confession of the panel granted and hereby grants warrant for committing the said James Beaumont to the Prison of Perth, therein to be detained for the period of one calendar month.

JOHN THOMAS.

Extracted by me
Sheriff Clerk of said County
Where not printed written by Adam McKenzie. Collated by John Thomas
Signed at Perth, the 19th day of December eighteen hundred and seventy-one years

CANTERBURY 28th November 1876.

From O. C. Depôt Troop, 13th Hussars.

Imprisoned by Civil Power, for Felony, from 6th April, 1861, to 1st June, 1861.
Tried for Disgraceful Conduct from 2nd June, 1861, to 24th June, 1861.
Reduced by C. M. to Private, from 25th June, 1861, to 5th September, 1861.

SIR,—In reference to the sheet of private James Beaumont, I find that the entries of convictions against him, are as per margin. You will notice that though there are three entries, the various terms of imprisonment seem to run into one another, over a period of from 6th April 1861 till 5th September, 1861.

I am Sir, your obedient servant,
C. W. PRICE,
13th *Hussars.*

To the Warden Central Prison, Ontario.

The undersigned has the honour to submit for the consideration of Council the evidence taken in the recent investigation into the management of the Central Prison.

It will be remembered that since the dismissal of Chief Guard Beaumont in March last, complaints have been made in regard to the Central Prison, but that as they were supposed to emanate principally from discharged officials, it was not until some time afterwards, considered necessary or advisable to hold an investigation.

Owing to the time of the Inspector being fully occupied, and from other causes, some unavoidable delay took place, and although the Government had determined in September that I should hold an investigation, I was not able to enter upon it until the 27th October, since which time, with the exception of two or three days, I have been continuously employed in examining into the affairs of the Prison. I have taken the evidence of all the officers of the Prison, and such others outside, as were supposed to be able to give any reliable information.

I may state that when the Central Prison was completed, it became necessary to obtain every possible information, not only as to general management, but also as to the mode of punishment of prisoners in similar institutions, and for that purpose the Inspector, the Warden, and the Chief and Deputy Chief Guards made separate visits to several of the Industrial Prisons in the United States. I was not then a member of the Government, but after carefully considering the evidence, I must come to the conclusion that, on the part of Inspector and Warden, from the opening of the Prison until the present time, there has been a determination to establish in the Central Prison, not only the very best prison regulations, but also to adopt such a system of punishment as would enable the officers to enforce discipline, compel the performance of labor and secure order, thereby accomplishing the object the Legislature had in view in establishing that institution.

The most successful industrial institution in the United States both as to prison management and financially, is the Albany Penitentiary; and the system of punishment adopted in the Central Prison is not so severe, as to duration, but in other respects is the same as practised there.

Once having decided as to the kind of punishment, the application and severity must to a great extent be left to judgment of the Warden and the supervision of the Inspector.

While all the Industrial Prisons in the United States have printed rules, none, so far as we have been able to learn, have printed or written regulations as to punishment—the severity and kind of punishment being determined by the practical experience of the officers in charge, or the peculiar ideas entertained by the different Prison Boards, or those who have the power to determine. In awarding punishment the Warden is guided by the nature and frequency of the offence, the previous conduct, and the age, health and constitution of the prisoner.

The evidence shows that strict discipline prevails in every part of the institution, that every thing is done in order, and the regulations adopted by the Inspector for the management of the Prison have proved most effective.

It was impossible to foresee all the difficulties surrounding the management of the Prison, and the rules have been from time to time amended as experience was obtained.

We have over three hundred and thirty prisoners in the Central Prison; a large proportion are criminals of the worst kind, some have served a term in the Penitentiary at Kingston, others in one or more of the prisons in the United States; others again are serving a second or third term here. For the protection of the officers, for the safety of the Prison, for the proper carrying out of our contract with the Car Company, and in the interests of justice (if the Prison is to be considered a place where crime is punished), it is imperatively required that strict discipline be enforced.

Laxity of discipline would result in insubordination and mutiny; our guards overpowered, and the danger of our three hundred criminals being let loose on the country.

On the other hand, if we expect the prisoners to work, obey the guards, and be submissive to prison rule, the punishment of an offence must be prompt, and of such a character as the nature of the offence and the surrounding circumstances require.

Before arriving at the conclusion that the punishment awarded in any instance by the Warden has been unduly severe, it is necessary to consider all the facts, and as I shall have the honour in a short time to submit a full report on the mode of punishment in the Prison, and, as far as possible, in similar institutions in the United States, I will defer giving any opinion as to the system adopted, or the punishment awarded, until then.

If there has been an error on the part of the Warden, in awarding punishments, I am satisfied it has not been of a serious character, and has been from no inclination on his part to be unnecessarily severe; but rather from a natural anxiety to preserve the discipline of the prison. The activity and intelligence of Mr. Stedman may have induced the Warden to throw upon him more responsibility than should be entrusted to a subordinate. Mr. Stedman, formerly Deputy Chief Guard, and for the past few months acting Chief Guard, is a mature, intelligent, brave, determined man, and a strict disciplinarian. The Superintendent of the Albany Penitentiary in a letter dated May 30th, 1874, addressed to the Inspector, says: "Mr. Richard Stedman has, for the past month been with me, making himself acquainted with the various duties of the different prison officers, and it affords me pleasure to state that I consider him well adapted and qualified to fill any position connected with a prison, and so far as I have ever seen men brought up in this business, I have not seen one who possessed as many of the qualities necessary to the proper discharge of the duties of a deputy warden as Mr. Stedman."

The Prison Surgeon—Dr. Aikins—who visits the prison daily and is in constant communication with the acting Chief Guard, speaks in high praise as to his ability as a prison official, and states that he does not believe him to be a cruel man. The Warden of the prison also, in his evidence, gives Mr. Stedman a high character, and says that he (Stedman) "has been the support and mainstay of the discipline of the prison." While the evidence proves that Mr. Stedman is in many respects a good officer, it also discloses the fact that he has been unnecessarily severe in the treatment of prisoners. Having heard that I had come to that conclusion, he has placed his resignation in the hands of the Government, which I recommend should be accepted.

I have much pleasure in stating that the reports as to guards being unfairly treated by the Warden, and Chief and Deputy Chief Guards, on account of their religion, are untrue.

All the guards have been questioned on this point, and their reply invariably was, "We have not seen any difference in the treatment of the guards on account of their religion."

Every opportunity was given to the different persons summoned to make a full statement, each being assured that the evidence he might give would not affect his position in the prison. In justice to Captain Prince, I should state that there has not been any evidence given reflecting in any way on his personal character, and I feel bound to add that the present state of the prison, and the discipline in force there, are highly creditable to him as Warden, and it must be gratifying to him as it is to me, that, after an exhaustive and searching investigation nothing has appeared reflecting on his management of the prison further than might be charged against any efficient warden and strict disciplinarian.

Our Central Prison is second to none in America. Its management is equal to any, and much of the credit of its success must be attributed to Captain Prince.

Respectfully submitted,

S. C. Wood,
Provincial Secretary.

Toronto, 14th November 1876.

TORONTO, 17th August, 1878.

SIR,—Certain rumours have come to my ears, and doubtless have also found their way to members of the Government, which cannot but seriously affect the characters of some of the officials of the Central Prison, if not my own as Inspector, and what is of still greater importance, from a Government stand point, are calculated to do serious injury to the prison itself, as one of the Institutions of the Province. It is true that these rumours have, so far as I can discover, been set afloat by persons who have been dismissed from the prison service, or by disaffected officials now in the service, and should therefore, under ordinary circumstances, and nearly always, be taken "cum grano salis;" still I am of opinion that a full and searching inquiry should be made into all the rumours and reports that are so prevalent, and into all matters connected with the management and discipline of the prison.

As I am informed that one of the charges preferred against me is that I have favoured certain officials in previous commendations, and in my capacity, generally, as Inspector I would strongly recommend that, in the interests of the prison and all concerned, the examination be conducted by two members of the Administration. This seems to me to be the more necessary as I have recommended for promotion and advancement, one of the officials whose character is most seriously assailed by these rumours.

I am,
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Hon. the Provincial Secretary

INVESTIGATION into the General Management and Discipline of the Central Prison, held in the office of the Central Prison, commencing on Tuesday, 31st October, 2 P.M.

THOMAS EDGAR, sworn.—Am Bursar of the Central Prison; at the opening of the institution I had charge of the stores; the Chief and Deputy Chief Guards, especially the latter, were overbearing and arrogant in their treatment of me,—they would come into my office at irregular hours, and demand the delivery of stores,—sometimes verbally and sometimes on slips of paper without regular requisitions; at that time there were no forms of requisition; these demands were made in an overbearing, disagreeable manner; I cannot recollect the language or specify the cases; when I objected I was told by the Deputy that it was done under the orders of the Warden, and that he knew no other authority; a copy of rules were prepared and handed to me by the Chief Guard by order of the Warden; he said they were for the guidance of the officers, myself included; I have nothing to complain of now as to the arrogant manner of the guards referred to, or as to the delivery of stores. I took a copy of the "Rules" to the Inspector who told me that the officers complained of had nothing to do with me whatever; after that, especially after the delivery of the store was handed over to the Steward, I experienced no open hostility, but was told by the Prison Bailiff that the Deputy said in the office that the Chief would soon occupy my chair, and that he, the Deputy, aspired to his (the Chief Guard's) position on his way to a higher—meaning the Wardenship; this was the expression of the Bailiff; Storekeeper McCarthy told me that the Deputy Guard stated in the guard room that the Warden could sack any man in the Prison, including myself; I frequently heard expressions of hostility to others, especially the Bailiff, Steward and Clerk, on the part of the Chief and Deputy Chief Guards, and against one or two of those whom I esteemed the most reliable and respectable of the guards, viz.:—Coutts, Axworthy and Greasy; two of these men told me they were so annoyed by the arrogant and overbearing conduct of Deputy Chief Guard Stedman that they were obliged to leave their situations in disgust; these two were Axworthy and Coutts; Greasy previous to his leaving told me he intended to resign on account of the treatment he had received; he did not state whether it was Beaumont or Stedman he complained of.

I consider the treatment of the prisoners by these men (Beaumont and Stedman) on what I considered good evidence, especially of those who tend to conceal themselves with a view to escape, as unnecessarily severe; Elliott, a Hospital Guard, and Clarkson, the Engineer, were among the persons who gave me the information; the acts of cruelty towards the convicted criminals were beating by the guards. Clarkson told me their cries could be heard outside of the Prison ground, and Elliott told me he saw them beaten. I cannot state how many were beaten; Mr. Elliott did not tell me how many; he spoke of the severity. prisoner Hunt, who was allowed to assist me in my office, in the summer of 1874, and who was highly spoken of by Sheriff Munro, of the County of Elgin, told me that Mr. Stedman asked him if he had heard any of the employees speaking against the officers of the Prison, and intimated that if he, the prisoner, would give him, Stedman, his confidence, it would be better for him; Hunt's not reciprocating resulted in his being harshly treated by Stedman; he showed me a mark on his wrist, which I also saw after he left the Prison, which he said was made by Stedman striking him with a loaded stick, because he saw ink on his sleeve where he had wiped his pen.

About this time I was temporarily absent, and on my return I found he had been removed from my office, and was employed in the yard. I applied for his restoration, which was not granted until I complained to the Inspector, who ordered his return to my office; on the 20th October, 1874, at about 3 p.m., I received instructions from the office of the Inspector, to furnish a list of the names of 288 prisoners then actually in Prison, to the Car Company on the following day; to do this, and to prepare a copy to retain, I returned to the office in the evening, and told the prisoner to remain and help me. About 8.30 Stedman came into the office, and motioned the prisoner to go to his cell, without speaking to me; he looked from his work to me for direction, and I explained to Mr. Stedman the necessity that existed for his remaining; he said he would see the Warden about it, and went out; the prisoner remained until I had finished; prisoner Hunt's hair was cut short the day before he was discharged; Hunt told me the Deputy ordered this to be done; he was examined after it was cut, and was sent back a second time by the deputy. I paid his board for several days after his discharge, until his hair grew, so that he could go out and look for a situation. I heard that Mr. Stedman said he would put a stop to officers taking their friends through the prison without a pass; this was in the summer of 1874; a short time afterwards I heard that an order was placed in the books to that effect. As I expected some friends of mine to visit the Prison, I spoke to the Warden about the order, who said it was not intended to apply to me, but only to the Steward and Cook. I am not certain, but I think it may have been either the Bailiff or Mr. McCarthy the Steward, who told me what Stedman said. On one occasion, when two friends called on me, we went up the tower on the invitation of the Wall Guard; the Warden noticing this, censured the Wall Guard, at least so I was informed. I had formerly a prisoner to assist me; in the spring of 1875, I asked for the continuance of a prisoner to assist me in my office, but was refused, and have not had one since, although a prisoner is allowed to assist the Storekeeper. (Letter marked "A" now put in.)

Copy of letter marked "A."

BURSAR'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 4th October 1875.

SIR,—I have the honour to call your attention to two inaccuracies in the weekly statements of prison labour supplied to contractors, which have been sent to me. I went to your office to see the Chief Guard, by whom they were prepared, with a view to having them corrected. He being absent from the office I left a message, requesting him to come to my office to make two corrections, but subsequently received a reply that he was forbidden to come, so that I have failed in getting the matter explained, or corrections, if necessary, made.

I have the honour to be,
Your obedient servant,
THOMAS SHORT
Bursar

Captain Prince,
Warden, Central Prison.

This letter is one that I sent to the Warden on 4th October, 1876. On the back is the Warden's reply and a note by Mr. Beaumont the Chief Guard.

Copy of reply

The Chief Guard has received no orders of the kind. He shall attend your office to-morrow morning. He is on leave to-day.

W. S. PRINCE,
Warden.

Note.

MR. SHORT,—In reference to the above, the Warden distinctly ordered me not to go to that portion of the Prison in which your office is placed, except once a day to draw stores. When I reminded him of that order he told me he only intended it to refer to the store-room.

JAS. BEAUMONT,
Chief Guard.

The Chief Guard told me he was told especially that the reason the order referred to in the letter was given was, "that there was intriguing going on in that office," meaning my office. On Saturday the 27th May, 1876, I sent the Storekeeper to the Warden's office with a pay sheet to sign, and a cheque to hand to him. On the Monday following an order was placed in the book forbidding anyone, except the Inspector, the Chief and Deputy Chief Guards, to enter the Warden's office. Mr. Stedman showed me the order and explained that it was intended only to apply during the Warden's absence; subsequent to this order, the Storekeeper mentioned that some goods were wanted. I told him to make out a requisition, and get the approval of the Warden in the usual way as I was going to the City. He prepared the requisition and went to the waiting room, and was told by the guard that, although the Warden was in his office, he could not enter; neither could he, the guard, go in with the requisition. Mr. McCarthy can give the name of the guard. (copy of order referred to and marked "B," is now put in.)

"CENTRAL PRISON, May 29th, 1876.

(B.) "He shall see that the door of the Warden's office is kept closed, and that no person enter therein in the absence of the Warden, except the Inspector of Prisons, the Chief Guard and the Deputy Chief Guard. On Saturday afternoon, all communication with the Stores Department shall be closed after 3 o'clock."

I am convinced that there is a disposition on the part of Stedman, to hound down and annoy the Storekeeper. As an instance, the sudden removal of Willis, a well-trained prisoner who had been employed in the lower store as butcher, &c., and who had proved himself clean, active, and civil, and was thoroughly conversant with the duties required, for some alleged offence committed outside he was punished, and afterwards sent to work at the stone pile instead of being returned to his duties in the stores, and another man was sent in his place.

I felt this the more as the man sent in his place (a prisoner from Ottawa), although a butcher, had a very bad reputation outside. It had always been the system before that when a man is likely to be discharged from his position another is put with him, so that the new man may become conversant with his duties. I spoke to the Warden about the man being taken away, and the man from Ottawa sent in his place, but nothing was done. At the time I spoke to the Warden, I knew nothing about the character of the new man. During the past year I have no reason to think that the Catholic guards are not treated fairly on account of their religion. I have not seen any brutal treatment of prisoners at any time. As far as I know Stedman is attentive to his duties. A short time after the opening of the Prison, it came to my knowledge that some prison shirts had been cut up, and made into under-clothing for Mr. Stedman. Some of the pieces left were brought into the store. Mr. McCarthy (the storekeeper), may have been the party who told me. I have heard that Mr. Stedman removed articles made by the prisoners. Mr. Metcalfe was at one time bailiff of the Court.

THOMAS SHORT.

Investigation adjourned till 2 p.m. to-morrow, the [illegible] November.

Investigation resumed 2.30, p.m., Wednesday, 6th November, 1878.

JOHN [illegible], sworn.—Am Prison Bailiff. I was appointed at the opening of the Prison. I have not been in a position to see any act of cruelty in the acts of the officers of the Prison and never did see any. About a year and a half ago I took three lunatics to London Asylum from the Prison. Sometime before that (about three weeks), I was in the Prison and heard the yells of a prisoner and the sound of blows. Guards Mansell and Gifford came into the guard-room, and said it was a shame to lick a crazy man. I replied "Why did you lick him?" They said that it was not they who did it, it was Stedman. They said he struck him (the crazy man), with a key and bent the key on him, and knocked his head against the wall, and knocked the blood out of his head on to the wall. When I got to the Asylum, and after they were undressed Dr. Lett told me that one of them was fearfully abused, and he felt it his duty to report the case to the Government; that he knew I had not committed the acts of cruelty because the marks were of too old a date. He also said they were filthy in their persons. The lunatic's name was Edwin Lewis. About fifteen weeks ago I was in Hamilton. I was in the Court House while the Court was going on. The County Judge sentenced a prisoner to a year and a half in the Central Prison, whereupon the prisoner begged to be sent two years to the Penitentiary instead, saying he would rather be sent to hell for a year than sent to the Central Prison, owing to the treatment he had received when there before, and the Judge gave him two years at Kingston accordingly. Capt. Henery, the Gaoler of Hamilton Gaol, can give name of prisoner. About nine months ago I was in the Court at Hamilton, and heard a prisoner beg to be sent to the Penitentiary for two years instead of one in the Central Prison; the Judge sent him to the Penitentiary. Capt. Henery will know the name of this prisoner also. I have heard of excessive acts of cruelty, but cannot give names.

I have not been satisfied with the treatment I have received. I have been locked out, when on time, when boarding in the Prison. One time I was locked out, I rang the Warden's bell, and he (the Warden) let me in, and stated that I was in time. I ceased boarding at the Prison on the 14th April, 1878. Frequently when coming to the Prison with prisoners, I have been kept waiting for twenty minutes in the storm and cold. I have [illegible]. About six months ago, I brought a number of prisoners to the Prison. It was about 12.30 o'clock at night. I rang the bell, but no one answered for at least fifteen minutes. I then rapped on the window and Guard Fraser then let me in. He said "you must not blame me for keeping you waiting, as I could not wake Stedman up." The next morning I was in Mr Sheen's (the Bursar's) office, when Stedman came and told me the Warden wanted me. I went to the Warden's office. The Warden asked me what the devil I made such a noise for last night. I said to get in. He said that within eleven seconds from the time I rang the bell the guard opened the door. He said Mr Stedman told him so. I told him to call in the man who let me in. Guard Newton came in and the Warden asked him how long it was from the time I rang the bell until he (Newton) opened the door, and he (Newton) said two seconds. I said to Newton, "Did you let me in last night?" and he said, "Yes, of course." I asked him if that was a put up job between him and some one else to entrap me, and I asked the Warden to send for Fraser, the guard who did let me in. Mr. [illegible] told the Warden that Guard Fraser was on guard the night before. Guard Fraser came in, and I asked him if, when he let me in last night, he did not say I must not blame him, as he could not wake Stedman up? He said, he did so. Stedman said he was awake, as he knew the prisoners were coming up. Fraser replied, "I mean until you answered me. I do not know whether you were awake or not." Immediately after that, the Warden gave me a key which I have used since. About six months ago I was in the Prison, my son, who is five years old, was with me. I started to take him to the water closet when Guard Dean stopped me. He said there was an order on the book to prevent any children going through the door. I then went to the Warden who ordered the guard to let me through. About a week ago the same thing occurred again. Guard Mansell was on guard. He opened the gate and let me through. When I came back Guard Mansell told me that Stedman attacked him for letting me through. Mansell said he did not know it was wrong. Stedman said there was an order in the book against it. Mansell said he never heard of it, that it never was read to him. Mansell said Dr Aikens (the surgeon) brings his children in, and why not the Prison bailiff.

I have been told by discharged prisoners that Stedman questioned whether I gave them liquor at the Marlborough House on the way to the Prison.

I have given the prisoners liquor, but not lately. Mr. Langmuir (the Inspector) told me it was wrong to do so. Prisoner Manson from Brockville was here twice, and when discharged the second time, he obtained a pass from the Warden.

About two years ago I saw Guards Bollard, O'Brien, and others, drinking liquor in McCarthy's room. I have seen cards being played on the premises; I saw Bollard very drunk in the guard-room. I have seen Beaumont under the influence of liquor twice. I never saw Beaumont or Stedman present at any time when card-playing or drinking was going on, or when there was quarrelling or wrangling going on. I have never given any information to any one connected with the press as to the transactions in the Prison.

Shortly after I came here, Stedman said, pointing to the Bursar's chair, that Beaumont was fitted for that, and that he would soon have it. I have not noticed any difference shown to any one in the prison on account of his religion.

DANIEL McCARTHY, sworn.—Am storekeeper. Was appointed on the opening of the prison. At the time when the prisoners concealed themselves with a view to escaping, I heard their cries when they were caught. They screamed very loud. Gumstock was one, I forget the others. I ran out and think I saw a blow or two struck. I did not see the prisoner afterwards. I was unwell for two or three days after this from the effects, having never seen anything of the kind before—this was a short time after the prison was opened. Since April, 1878, I have seen little that is going on in the prison, being employed in the storeroom. Since April 1878, I have kept away from Stedman. Prisoner Willis, who was detailed for store work, was bringing in milk by the upper door of the storeroom, Stedman said, you must not go in by that door you must take it up by the lower door. I am of opinion that Mr. Stedman has full control, and that the Warden upholds and endorses him.

I remember prisoner Hunt, I know his hair was cut short the day he went out. They call it a cannon ball cut.

Mr. Stedman did not say to me that he would put a stop to officers taking their friends through without a pass. I have charge of prisoners' [illegible] which is given to prisoners. Consider the prisoners are well fed. When there is no work, the quantity of meals is reduced. When the institution opened, the tailors were making clothes promiscuously for every body, and it was stated that one sheet was cut up for a pair of drawers for Stedman. I have never missed anything out of the stores.

We were hardly opened when the prisoners were prevented from kneeling down when Father Rooney was holding service. Stedman said it was the Warden's orders that they were not to kneel down. Father Rooney demanded to see the Warden. Stedman said "go on, the prisoners might kneel down." One Sunday Stedman kept his hat on during the Catholic service. He stood beside the altar. I heard the Warden say to Beaumont and Stedman, they were to hound me down. I said to the guards, I want you to bear that in mind. The Warden said "I did not mean that, I want you to watch him as a cat watches a mouse." One other occasion, when Guard Somers was appointed in the absence of the Warden, he was sworn in by Mr. Beaumont, I think.

The first Sunday he put in an appearance he was seen by Deputy-guard Stedman on his knees. He (Stedman) came running down after service was over. Mr. Beaumont, Beaumont, Beaumont, you have sworn that man in, he is a Papist. If the Captain was here he would not have done it. This Beaumont told me. Guard Gifford told Mr. English that Stedman called him into the Warden's office as he was passing down the lawn one Sunday afternoon in company with me, and said "now I want you to help me to get rid of those two Papists." Guard Lyons hinted to me the same thing. Acting on instructions from the Bursar on the 27th May or thereabouts I took a pay sheet for the Warden's approval, and was not allowed to enter his office, Guard Wood was on duty and he said he could not go in with a pay-sheet, no guard other than the chief and deputy being allowed to enter that room. The same morning I wanted to go to the water-closet, and had to explain to the guard where I was going, Mr. Stedman standing by laughing. I felt that Beaumont and Stedman were opposed to me. I never saw Beaumont or Stedman under the influence of liquor. I never saw Beaumont drunk on the premises. I never gave any information to the press regarding the affairs of the prison, except stat-

ing to Patrick Boyle, that Captain Prince said he would "hound me down." The Inspector always gave every attention to any complaints I made.

D. McCARTHY,
Storekeeper.

EDWIN NEWBURY sworn.—Am acting Deputy Chief Guard. Have been guard since 6th July 1876. I had served in the Royal Artillery nearly 23 years prior to my entering the prison. On the first Monday when I commenced active service in the prison at 5.45 a.m., I was falling in the prisoners of gallery No. 4 when I heard a noise in the rear part of the gallery, and on looking round saw Mr. Stedman striking prisoner Charles Gibbons with a walking stick. Stedman said it was because he did not walk well. He struck him two or three times on the heels. The prisoner cried out and lifted his feet, he is an old man of 65. I have not seen any other acts of cruelty. I have seen no difference in the treatment of the guards by the Warden, Chief Guard, or deputy on account of their religion. I have known of lots of instances where persons have been put in irons without their case being first reported to the Warden. One is the case of James Eyre. I remember his case as he made a great fuss on going there. I recollect the case of six men being put in irons by the order of the Warden, they were sent in one frosty morning. They were reported by Guard Wall, who was not the guard directly in charge, Guard Gifford was the guard in charge. They were reported for refusing to work, or not working (this was in the winter of 1876). The Chief Guard received the written report signed by Guard Wall, and countersigned by Guard Gifford. When the Warden came in Mr. Beaumont reported the case, and the Warden ordered them to be placed in irons. I placed some of them in irons myself, and as I was doing so, the men complained, and said they were brought in unjustly, that there were 24 men of their gang employed shunting the cars.

Adjourned the investigation, and resumed at 7.30 p.m.

Guard NEWBURY recalled.—They stated that in consequence of there being some twenty four men around the car there was not sufficient room for all to push it, and the guard (Gifford) in charge had not found fault; and they requested the Warden might be informed of it. I told the Chief Guard (Beaumont), and he told me to inform the Warden. The Warden then sent for Guard Gifford, and after hearing what he had to say he released the six prisoners. George Newbold, a prisoner was placed in irons by Stedman and James Flibbey a prisoner was placed in irons by the Chief Guard, without their cases having been first reported to the Warden. This was since January, 1875 and some time in 1876. The other day a prisoner who was to present a book to the kitchen was ordered to be deprived of his bed for the night. I referred the case to Mr. Stedman who found he was the wrong man. His case was not referred to the Warden. I think Mr. Stedman assumes too much authority in ordering prisoners to punishment without first consulting the Warden. Prisoners have complained as to the sufficiency of food. I consider the food now furnished sufficient. The complaints are that when vegetables were up, of course the soup was scanty and not of good quality, and then the men complained; but these occurrences are rare. The cooking at times is inferior, soup too watery, too much seeds, more than was necessary. I know Guard Coutts. I do not think he was quite sane. He would not be trusted with a pistol. I know Guard Gravey. I consider him a good guard. Mr. Stedman had two easy folding chairs made in the Prison. I don't know whether he furnished any of the material. He had an Inlaid tea-table and Inlaid box made by two men named Collingwood. I know Guard Walsh. I know nothing about his getting irons. I got permission from Mr. Stedman to get a glass case for an ornamental clock, which was done, and I had a picture painted; it was painted in my own room. I know prisoner Walsh Jones; he was employed making ornamental bone work for Mr. Stedman, also vegetable ivory work. He was employed for a considerable time; he worked in his cell and Mr. Stedman's room. This was previous to an order issued by the Warden forbidding work of this kind. I know prisoner McCarthy. He was employed painting in the smith coach shop and in Mr. Stedman's room. I recollect a watch being raffled for. I don't recollect the guards who took part in it. I have never given any information to the press respecting the Central Prison. The work-box made for Stedman was made since the order by the Warden forbidding anything of the kind.

E. NEWBURY.

PATRICK MCCORMACK, sworn.—Am a Prison Guard; was appointed on the 17th May, 1875; of my knowledge I do not know of any cruel treatment towards prisoners on the part of the officers of the Prison; I have not seen any difference in the treatment of the guards on account of their religion; I have no complaint to make and know of nothing wrong in the management of the Prison; I have heard of some of the single men who are guards complain that they had more to do than the married guards. I have reported nothing to the press. I have seen Mr. [illegible] under the influence of liquor more than once.

PATRICK MCCORMACK.

DANIEL KIRKPATRICK, sworn.—Am Prison Guard; was appointed 11th September, 1871; I have seen prisoners punished, but I do not think they were punished any more severely than they deserved, but I have seen prisoners under punishment when I did not know what they were punished for; I never saw a guard strike a prisoner; I have never seen any difference in the treatment of guards on account of their religion; I have never known any dishonest act on the part of the guards. I have seen prisoners making home work. I have never reported anything regarding the Prison to the press; I think the food furnished to the guards should be made more palatable, the fault is in the cooking; last spring some prisoners belonging to my gang reported themselves sick; I thought they were sick, I sent them in to see the Doctor and they were sent back to work; I do not know whether the Doctor saw them or not; one prisoner was Perkins who in a few days was confined to the hospital, and afterwards died of typhoid fever.

DANIEL KIRKPATRICK.

RICHARD FARRELL, sworn.—Am Prison Guard; I was appointed 22nd May 1875. I know nothing of the cruel treatment of prisoners; never saw anything of the kind since I came here. I never saw any partiality in the treatment of the guards, and no difference whatever on account of religion. About three months ago one of the prisoners put some meat in his hat at dinner time; Mr. Stedman saw him do it, and threw the meat out on the table; after removing the meat from his hat, he gave the prisoner a slight tap which would not have hurt a child, and made him stand up until the other prisoners were done; I have nothing to complain of; the single men complain that they have more to do than the married men; I am a single man but do not complain. The food at the guards' table is badly cooked. I have not reported anything regarding the Prison to the press.

R. FARRELL.

WALTER BUTLER, sworn.—Am Prison Guard; was appointed 8th March last. I know nothing of any cruel treatment of prisoners, I have never seen any difference in the treatment of the guards on account of their religion. I have reported nothing to the press. I have no complaint to make.

WALTER BUTLER.

W. J. MAXWELL, sworn.—Am Prison Guard; was appointed on 19th January 1874. I was in the metropolitan police, and in the Surrey constabulary, previously to coming here. About two years ago I was in charge of a gang working in the front grounds. One day while I was marching them out of the yard, one of the prisoners named Richard Jones, an elderly man, let his left hand drop straight, and Mr. Stedman struck him with a stick over the hand, and the man complained to me afterwards that his finger was very painful. The finger took to swelling and some week or two afterwards the outer skin around the joint peeled off. On another occasion, I think it was the winter before last, I was on duty in the north wing as night guard. Suddenly I heard a violent shouting, and the words "Capt. Prince" repeated several times. I went upstairs to the top gallery and there I found a prisoner (Edward Lewis) still shouting "Capt. Prince." I believe that he had become deranged. Mr. Stedman who was in charge that night came out of the guard-room with ex-Guard Ballard, and a key was produced to open the cell door, a long key. Mr. Stedman went in; the man shouting all the time, but made no resistance. Mr. Stedman struck the man with the iron key, Lewis shouted, murder! Mr. Stedman threw him down on the bed and his head struck the wall and bled; Mr. Stedman then placed a wooden gag in his mouth and his hands handcuffed behind him; this was about nine at night; he was left lying on the bed; I went up to see him in about half an hour; he appeared to be all in a heap with his head down on his breast; when I spoke to him, he raised up his head and I found he had got the gag out. I made a report of the disturbance on my note book, on a sheet of paper, and reported to Stedman and Beaumont. I did not report the striking with the key. He (Lewis) laid all night with his hands behind him; within an hour Stedman asked me how the prisoner was going on, and if he was quiet. I told him he had got the gag from his mouth; I think he said Let him be. Mr. Stedman did not give me any instructions to take the gag out of the prisoner's mouth if he became quiet; I don't know who removed the hand-bolts; I know that he was not cuffed all night. I had thought for some time he was insane.—Stedman struck him (Lewis) over the shoulders. The blows bent the key. The key is two feet long, and is made of steel half an inch in diameter and I think would weigh two pounds. I produce a similar key. It is called the entrance key to the prison proper. Mr. Stedman had some chairs manufactured here, I do not know whether he took any away. I understood they were furniture for his room. I saw them in his room after they were finished. I never saw any partiality shown the guards, by the Warden, Chief, or Deputy Chief Guard, and no difference was made on account of religion; I have not reported anything to the press. Prisoners have complained of the food to me as not being sufficient, sometimes there was more food than was necessary, and sometimes I should say there was not sufficient. I have seen no favouritism as to treatment of prisoners. There seemed to be bad blood between Beaumont and Stedman; I never heard them quarrelling.

W. J. Martell.

Henry F. King, sworn.—Am Prison Guard, was appointed 27th February, 1875; I can't say I know of any cruel treatment of prisoners. When I first came, prisoners were confined in irons all night and were not let down to use the buckets. That is not done now, the guard lets them down at ten o'clock to use the buckets. I have seen no difference in the treatment of the Guards by Capt. Prince, or the Chief, or Deputy-Chief Guard. I have reported nothing to the press.

Henry F. King.

Guard Newton, recalled.—Errington, a prisoner, was beaten for secreting himself for the purpose of escape, by the Chief and Deputy Chief Guards, one using a rope and the other a stick; this was about January 1876. I did not see him beaten, but afterwards when he was placed in the dark cell I saw him; his body was covered with wales and bruises; the surgeon was not present at the flogging; the man was very much exhausted. Beaumont showed me the stick which he used, and it was over half an inch in thickness and was broken up. I was twelve months in charge of the north wing, and saw a good many prisoners put in irons. After men had been up for several hours they would be very much exhausted; their hands would get cold and their arms paralyzed, and in many instances I have found the men have answered the calls of nature in their clothes. As a rule when they expressed contrition they were taken down, but if put in at night they remained until six in the morning. Not long since, about the end of August 1876, I found a prisoner in a fainting condition,—corridor guard Uniacke discovered him and told me. When I went to him he was hanging by his hands; his name was Hawkins. In lieu of that punishment I would suggest a longer term of bread and water in a dark cell; the dark cells are badly ventilated, there is one outlet but no inlet for fresh air. I have been in the artillery; the punishments were principally dark cells. I am acquainted with the system of punishment in military prisons, and putting a man in irons is not resorted to except in extreme cases. I think that no one should be punished without the Warden being present. I think the Warden's authority to punish should be limited.

E. Newton.

Adjourned till 10.30 a.m. to-morrow.

Investigation resumed at 10.30 a.m. Thursday.

Edwin Newton recalled.—I knew prisoner Lewis. I saw him very frequently; the general opinion of the guards was that he was insane; that was the opinion prior to his being struck with a key by Mr Stedman; a month before this I thought him insane; he was under observation by the guards generally; I cannot say that it was by orders. I had not orders to watch him; he had been confined to his cell a fortnight before Stedman struck him; during this fortnight he was periodically violent, and was quiet at times; he would say that he and another party had murdered a man in the States. I heard him say this; I believe reports were made by the guards that he was noisy; for weeks before he was placed in his cell he would sit for hours in the dining hall, and if the Doctor, or any one else spoke to him, would burst into tears, and say he had murdered a man in the States.

E. Newton.

Wm. Gummerson sworn.—Am Prison Guard; was appointed at the opening of the prison; about May 1874, Stedman struck prisoner Andrew Edwards, with the palm of his hand, in the dining room; the prisoner had a piece of bread or meat in his hat; Stedman struck him with the palm of his hand in his face, and then took the bread or meat from him; the first summer we opened Mr Stedman used to treat the prisoners very harshly, especially when marching, if they would lose the step; he had a stick about two feet six inches long, and the ferule was of iron and was six inches long; he would stamp this down on their feet and legs, especially the old men; one in particular, a prisoner named Gibbons, from Hamilton, I saw him strike over the ankles several times. Gibbons is over 80 years old. I was the guard on corridor duty the day after Dillon was caught in the yard; I accompanied Dr. Aikins and Stedman to the dark cell; he (Dr. Aikins) saw a cut on the prisoner's forehead, and asked the prisoner what did that; before the prisoner replied, Mr Stedman said he struck him with a stick; what the Doctor said I did not hear. I then accompanied them round to the dark cell where prisoner Carson was; he (Dr. Aikins) asked if he had any complaints, and he said no; the Doctor then left; I saw Mr. Stedman when he was visiting the gangs in April last call on Mr. Hill, and ask him who was that that was lying in the box; Hill replied that it was prisoner Conolly; he (Stedman) went up to the box and took off a lot of prisoner's coats that were over top of the prisoner and made him get up. He said, "What is wrong with you," the prisoner replied, "I am sick." Stedman struck him in the chest with his fist, and said, "You are not up in the guard-room now; the bread you get does not go down easy; there is no butter on it"; he then ordered him to be sent in; the blow was given with a closed fist, but not a very hard blow; at the time Dillon was found we had been two days and two nights looking for him. I have never known the Warden or Mr Beaumont to show any difference in the treatment of the guards on account of their religion.

In the fall of 1874, one night when I was in the bailiff's room with the bailiff and Mr. McCarthy, Stedman came to the door and called me out, and asked me to come down to the office as he wanted to speak to me. I followed him down, and went into the Warden's office; he closed the door and asked me if I would work in with him to try and put the Catholics out of this. I looked at him for three or four seconds, and replied, "I could not do such a thing—my wife was a Catholic." I then turned away and walked out. I knew prisoner Lewis. I brought him from the Toronto Gaol at the time the Prison opened. I remember the time it was said he was struck with a key. I had him in my own gallery up to two months prior to his being struck, and saw him several times during those two months; the impression I and the other guards had was that he was getting away; I think he had been in the cell a week at the time he was struck. I missed him from the yard; he used to shout in the corridor mornings and nights prior to the striking. I did not see Stedman strike him; Guard Evans said he saw it. I knew prisoner Hasie, he said he made boots and shoes for Stedman; any boots and shoes I got I paid for to Mr. Short; this was in November 1874. Stedman kept the accounts of the shoe-shops; he (Hasie) made boots for other guards. I know Guard Umacke; he is considered a friend of Stedman's; I do not consider myself a friend to Mr. Stedman. I knew of partiality towards guards by the Warden and Stedman; I did not see any on the part of Beaumont. In the fall of 1874, I took my gang to bathe at 5 minutes to four. I went to the bath room, on my way going up stairs, I met Guard Uslacke with his gang coming down, having bathed. I then went up, got my gang stripped, and waited there about two minutes when Mr Stedman came rushing up, and asked me "if I ran this Institution," I said no, what do you mean ?" he said he would let me know, and he reported me to Chief Guard Beaumont. Mr Beaumont came with him to the bath-house, and asked me if I was there before four. I said "yes," that my foreman gave me five minutes to get over to the bath-house, and that meeting Guard Uniacke's gang coming down from bathing, I thought I was right in going up and getting ready to bathe my men; he replied it was all right, he saw nothing wrong. Mr. Stedman met Uniacke's gang going from the bath-house to the prison, and did not report him. I was in charge of the lumber yard gang, and supervised the gang in the moulding shop, and the blacksmith shop gang in the fall of 1874. In December I came out of the lumber yard with my gang of fifteen men; we were taking sheeting to the north and south machine shops; I had to divide the gang, giving six men to Mr Thompson (the foreman), they went to the north shop, I taking nine to the south shop, I gave Thompson instructions to bring the men to me, and instead of doing so he let them come around by themselves, and at the turntable they met two other gangs having no guards with them, and got talking together, and Mr Stedman saw them. He then came to me and asked me if I had any men round in the yard. I said "yes, six with Mr Thompson," he then censured me in a surly manner, in front of the prisoners, and reported me to Mr. Beaumont; I reported him through the Chief Guard to the Warden. The other two gangs belonged to Guards Doherty and Uniacke. He reported Doherty and me and did not report Uniacke, which I reported through the Chief Guard to the Warden, and brought before the Warden in his office the bathing case. After I reported this to the Warden, he (Stedman) used to visit me eighteen times a day, and before that he would only visit me two, three, or four times. On 2nd January, 1876, I was on guard-room duty (it being Sunday). I was on corridor patrol from half past twelve until one o'clock, and was relieved at one o'clock, and went to the guard-room to get my dinner. I went into the guards' dormitory, took off my revolver and belt, hat and stick, and laid them down on one of the married men's beds, and then went to dinner. After dinner I came back to the dormitory where Guard Kirkpatrick called me and spoke to me, I talked to him quite awhile, I should say about one hour.—I then laid down on the bed, and in doing so moved my hat and stick, but had no thought of the revolver until the next morning when I went to the cupboard used as an armoury, to get my revolver and could not find it. I asked all the guards if they had seen it, I supposed they had played a trick on me, or that some one had taken it in a mistake, I took a revolver I found hanging in the cupboard. I supposed it to be Guard Uniacke's. About ten or fifteen minutes afterwards I was out with my gang when Chief Guard Beaumont came to me, and asked me if I had my own revolver, I said "no," and told him about not finding my own. He said Stedman had received a revolver from a prisoner which he had said that he had found in his cell the night before at half past one, at a quarter past one I was sent for by the Warden, I told the Warden the same facts I have now stated. He censured me, and told me to get my revolver from Mr Stedman. I asked Mr Stedman where my revolver was, and he said in his room. I went to his room and found the revolver lying on an arm chair with prisoner McCarty painting an oil painting alongside the chair. I looked to see, and found the revolver loaded. I reported this to the Warden through Chief Guard Beaumont. The Warden cleared Mr Stedman of all blame at the evening count parade. He read my crime out of the order book, but did not censure Mr Stedman for leaving the pistol on a chair beside which a prisoner was painting. At the same time there was an order in the book for the guards to sleep with their revolvers under their pillows, and that was why I laid the revolver on the bed. At the time I was brought before the Warden, I stated the pistol was as safe on the bed, as in the cupboard, which could be opened with my little finger. About four months after this, the Armoury was built. I saw that Mr Stedman had got Guard Uniacke's revolver three times in the dormitory lying on the bed. I know because he came and asked at the mess table where it was, and stated he found it on his bed. Don't know whether I was reported or not, was never read out in orders. On the the 4th or 5th April, 1878, there was a raffle in the guard's dormitory. I saw the armoury wide open, in which were the rifles, revolvers, and keys of the prison, leg irons, and handcuffs. The three guard room waiters (prisoners), were in the room, sitting opposite the armoury; had no guard was in the room. I told Mr. Hill, and he

and I staid there until the guards came out. The raffle was then going on. It was between six and seven in the morning. I don't know if it came to the Warden's notice. The raffle was for a watch.

I have not on any occasion given information to the Press, or to any one with a view to its going to the Press, with regard to the Central Prison. About a week after the Barber escape, I sent a note to discharged Guard Wall. I was told that Wall had written a letter to the "Irish Canadian," and had read the article said to be his. When Wall was in the prison, I knew nothing against him but drink. I have learned that his character is not good, and have dropped his acquaintance. The reason for my writing to Wall was not, that my letter might be published. He (Wall) had been my supernumerary for months, and I thought he had been unfairly dealt with. I see now that I did wrong. I made a report in regard to my supernumerary, Wm. Mansell, to Mr Stedman. I handed it to him in writing; he refused to take it, saying he would settle with Guard Mansell himself. This was the day Barber escaped.

To the Warden of the Central Prison.

Sir,—I have to report Guard W. Mansell, my supernumerary, for neglect of duty, on Thursday, 27th. I charge him for giving his rifle to prisoner Foley, and taking the pick for ten minutes, and working with it. 2nd, I charge him with laying his rifle down amongst the prisoners, four times during the day, and while both the gates were open.

I also reported to Mr. Wall, that Mr. Stedman had allowed Barber (a prisoner) to see Joyce (a visitor) on Sunday, and also, that Barber was allowed to get the long key of the principal doors of the prison. I have done this.

Wm. Gibbons.

Investigation resumed at 2.30 p.m., 2nd November, 1878.

Guard Gibbons, recalled.—At the time of the escape of Barber, I was ordered to take a ladder to the front of the north wing, in order that the slates might be carried up to the roofers. I did not call the attention of anybody to the ladders being there. Stedman told me he had let prisoner Barber see Joyce, the visitor, and that he was afraid of being dismissed on that account. Stedman, after Barber's escape, gave me his revolver, and told me to go and see Joyce, and try and find out where Barber was: I could not find out where Joyce lived, and reported the same to Mr Stedman the next morning. Stedman told me that Barber's wife lived out in the country, and that it was likely he might have gone there, and that the Warden had sent a detective after him. Three prisoners escaped from the field gang about the 31st January, 1876, and the Warden, in his annual report, says there was only one; the prisoners' names were Wylie, Deacon and Cunningham; Wylie is the only prisoner mentioned. I captured Deacon the day after the escape between Goodwood and Stouffville. I believe there was ill-feeling between Stedman and Mr Short, the Bursar, about the end of January, 1876. I was in charge of a gang unloading stone. I had a prisoner under me by name of Fairchild, who said he was sick, and unable to work. I had to coax him to work, and said he might be better after dinner; after dinner he was no better; he complained of cold and vomiting, so I sent him into the blacksmith's shop to warm himself, and told him to come out again in about ten minutes time, and I would report him sick; while he was absent I was called away for my pay, and to relieve the Wall Guards, and while I was away, the Warden, on going his rounds, found Fairchild and other prisoners in the blacksmith's shop; he asked Fairchild what he was doing there. Fairchild said that I had sent him there. I was sent for and met the Warden in the dining-room; the prisoner was present, and so was Mr. Beaumont, the Chief Guard. Beaumont asked the prisoner if he had reported himself sick; he (the prisoner) replied, yes, three mornings running. Mr. Beaumont asked who he had reported himself to, and his answer was, to a prisoner, not a guard. Mr Beaumont asked him if a guard unlocked him in the morning, and he said "no." In the south wing then and in both wings now the prisoners were unlocked by prisoners called "cleaners;" this was in accordance with Mr. Stedman's orders; the Warden gave Mr Beaumont orders that in future the cell doors were not to be unlocked by a prisoner in the mornings: since Mr. Stedman acted as Chief Guard this order has not been obeyed. Mr. Beaumont obeyed the order during the time he was Chief Guard. In the month of October 1875, I was in charge of a field gang, and had Guard Mansell as supernumerary; the prisoners were pulling turnips. Guard Mansell left my gang and went and talked to Guards Wall and Johns for over three hours, and I left the field with my gang without Mansell having returned to me; I made a written report of this to Mr. Stedman, and he told me to take my twelve men out again, and gave me a note to Mansell, and said that he (Stedman) would see to the report, but I never heard of his doing so, and at the subsequent courts I never heard it mentioned. Captain Prince was at the time away on leave. Mr. Stedman kept prisoner McCarthy (the man whom I found standing beside the chair on which I found my revolver) in his room making oil paintings. I never saw McCarthy doing anything else than painting, except during one week he was breaking stones. McCarthy was in the Prison a year. Mr Stedman got a lounge made in the summer of 1874; the prisoner who did the upholstering was working with the Canada Car Company, under me; Stedman came and took him away from my gang; he kept him two days, and his time was down in the book the same as if he had been working for the Canada Car Company.

WM. GIBSON.

FREDERICK HILL, sworn.—Am prison guard, was appointed in March, 1875. About February 1876 Mr. Stedman came to me in the guard-room, and told me to take off my slippers and to go up the further end of the crank, being the opposite end of the corridor from the stairs, and try and find out who was making a noise. I went up and found it was a prisoner in Number 8 Gallery, one whom I had supposed to be insane. I called to some of the other guards on the corridor, "This is the man who is making the noise;" he was yelling "Capt. Prince, Murder!" Mr Stedman came up with Guards Doherty, Mansell, Emmes. Mansell had a lamp. Mr. Stedman unlocked the cell door and went in, and asked what he was making a noise about. I can't say just what the prisoner said; it was something about his brother, and then he called out "Capt. Prince, Murder!" I saw Stedman unlock the cell and go in. I did not see anything after he went in until I heard the prisoner groaning. I then looked in and saw the prisoner lying on his right side on the bed. Mr Stedman had his two knees on him and was striking him with a long key. He struck him several times across the back. I cannot say whether the prisoner had his coat on or not. Doherty and Mansell were both in the cell, and I could not see very well what was going on. I saw Doherty strike the prisoner with his fist, while Stedman had him down. I don't know the name of the prisoner. I heard it was Lewis. In April 1876, I was on night duty. I went on in the middle of the week in place of a guard who was found asleep. I found a prisoner named Shaughnessy from Kingston, in irons in the East Dark Cell of the south wing. How long he had been there I could not say. Guard Emmes told me five days and nights. I went in on Wednesday; he was kept in irons on Thursday. I can't say whether on Friday or not. The report book will show, as I made report to Guard Emmes. I visited the prisoner every hour, as I was afraid he would die. He was constantly hanging by his hands, and when I would go to him he would say "Thank God there is another hour gone by." I don't know whether he was taken down to use the buckets or not. I had not the key of the cell and could not get in. The key was locked up in the Armoury and could not be got unless by orders of the Chief Guard. I was on night patrol.

Report book produced, entry under 1st May 1876. John O'Shaughnessy for insolent language to Deputy Chief Guard, seventy-two hours in irons.

In the spring of this year I had a prisoner named Comb in my gang. He had previously been a guard-room waiter and had tried to make his escape. After he had been in my gang a few days he complained of being sick. I asked him if he had reported himself sick to his guard in the morning, which is the usual custom; he said "no, he did not feel very sick then." I told him to wait until noon, and that if he did not then feel better I would take him before the Chief Guard. He was not better at one o'clock, and I made a verbal report to Mr. Stedman. He said he was to go out on the stone pile until the doctor came, and he would then be sent for. Prisoner replied, "put me in the dark cell." Stedman replied, "I will put you where I choose." Comb went with me to the gang when he got out he said, "Mr. Hill, I can't work." I told him to go and sit on the stone pile where the men were sitting. While he was sitting there, Guard Mansell, who had charge of the loads at that time, came by, and passed a remark how sick he looked. I said I could not help it, I had reported him, and yet he was ordered to come out. About the middle of the afternoon Crumb went and laid down in the box we had for measuring stones. I missed him from the place he was lying on the stone pile, and found him on the box covered up with some of the coats belonging to the prisoners. He was groaning. I thought he was very sick and did not disturb him during the afternoon. Mr. Stedman came, and I told him about Crumb being so very sick. He asked where he was and I told him. He told Crumb to get up, saying, "It is no good playing off like that; you used to eat plenty of butter on your bread in the guard-room, and now the dry bread sticks in your throat," and he struck him in the chest with his clenched fist. He then sent him inside. He was taken to the hospital and ultimately died. Prisoner Dillon was in my gang. He said Stedman struck him over the left eye, after he had given himself up. (Dillon had tried to escape.) He said Stedman struck him with a stick and knocked him down. The left upper corner of his forehead was cut and bleeding, and that part of his head was badly swollen. Each day he kept getting worse, the swelling increasing, he being hardly able to see out of his left eye. On the second day he fainted away. I had him taken out of the sun, put some salt in his mouth, and poured water in his mouth. He was sent inside. I saw him next day with a poultice on. He did not come out to work for three or four days. I never saw any difference in the treatment of the guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison.

FREDERICK HILL.

MAURICE UNIACKE, sworn.—Am prison guard. Was appointed at the opening of the Prison. One night during last year that I was on duty there was a prisoner in the dark cell of the name of Mickey. He was tied to the ring. Mr. Stedman asked me to come down as the prisoner was making a noise, and told me to bring the prisoner. I did so, and with Mr. Stedman's assistance brought him out. I put the handcuffs on him to bring him to the dungeon underneath. Mr. Stedman gave the prisoner two blows on the side of his head with his clenched fist. The prisoner was making a loud noise. We put him in the dungeon. Mickey had been several times in the dark cell and was generally noisy. Prisoner Charles Gibbons was an old man. I was in charge of a party at the lower end of the South Wing working here. I saw Mr. Stedman at the door of the cell in No. 3 Gallery, and saw him take a pipe from Gibbons, who had been smoking, and strike him twice on the side of his face with the back of his hand. Gibbons has been in the Prison three times. His conduct is generally good and he was quiet. At the time prisoners Dillon and Carson were concealed I was posted at the north gate. We heard that the prisoners were found. We had been up two nights looking for them. I went into the corridor and saw the prisoners standing there. Mr. Stedman came in and I saw him strike Dillon on the head with a stick once and once on the arm. I think the stick was a walking stick. Dillon had said nothing to Stedman. He poked the stick against Carson's ribs pretty forcibly. There was a prisoner in the North Wing named Lewis (a lunatic). I was standing on the landing leading out from the Guards' Dining Hall in company with Mr. English (the bailiff). I heard the cry of this man and from the nature of the cry thought he must have been struck with something. I heard the other guards say it was with a large key. I had seen Lewis before that several times. I was under the impression that he was not right in his mind. Other guards remarked to me that he was wrong in his mind. He had been in the cell for several days. I can't say what for, as I was not in charge of that gallery. I have never seen any difference in the treatment of the Guards on account of their religion. I have not made any report to the Press about the affairs of the Prison. I once left my revolver in my bed-room. I had taken my belt off and forgot it, and went to my tea. I was reported to and brought before the Warden, but the offence was not read out at the Court. I left my revolver another time. I was not brought before the Warden that time. I never brought my gang into baths before four o'clock. It might have been a minute or two before four o'clock. It was thereabouts at any rate. I do not know that there is any ill feeling towards Stedman on the part of any of the guards. I never saw Beaumont strike a prisoner.

M. UNIACKE.

HAMILTON LYONS, sworn.—Am prison guard; was appointed at the opening of the Prison; shortly after the Prison opened, three prisoners concealed themselves away in the engine house, with a view to escape; Guard Geasey was on duty and found the prisoners concealed in the engine house, between the top of the boiler and the ceiling; I went to assist Stedman, who told them to come out; they would not, and he caught hold of one of them and pulled him out between the rafters. I caught hold of one of them and he kicked me; I threatened to shoot him; he said not to touch him, and he would be quiet; I kept my revolver in my hand until we got them all out; by that time all the guards were gathered round; the Warden was sent for, and the prisoners taken into the corridor; Mr. Stedman struck one of them with his fist, and knocked him from one side of the corridor to the other. I stood within fifteen or twenty feet of Stedman at the time; the prisoner did not say anything to Stedman previously to his being struck; Guard O'Brien struck another. I said it was a damned shame to knock men about in that way; on several occasions I have seen Mr. Stedman, while the men were marching, strike them on the hands and feet with a stick, when they did not march in order or kept their hands down. I have seen a good deal of partiality shown to guards; on several occasions I have applied to the Warden for leave of absence, to go out on family affairs, my wife being sick. I sent in word by Chief Guard Beaumont, and he came out and said the Warden would not grant leave. One time I asked the Chief Guard to allow me to see the Warden personally; I did see the Warden, who refused me leave, saying I was a nuisance and a disturbance, and to put in my resignation and leave altogether. I asked, Why? He said all the guards said so; I asked him to bring in any of the guards who had said so, and he refused; he said he would transfer me from the gate to the wall. I asked him if he would allow me to see the Inspector; he refused, saying I could go after hours; two other guards (Johns and Eames), applied to go down town, and they were allowed to go; they had leave twice or three times. Some time afterwards I applied to Mr. Stedman for leave to go to town for medicine for my wife, and he said it was no use as the Warden had refused to allow me to go. This year I applied to the Warden for permission to get some clothes made; he told me it was not allowed; the very next week Mr Short's son, who was working with him, got a suit of clothes made; whether the Warden gave permission or not, I cannot say. Previously to this the box at the gate was opened and my papers and my books stolen. I am not able to give the date. Last year I applied to the Warden for permission to get shoes made for my family, and he refused; a short time after that, Store-keeper McCarthy and Guards Eames and Johns got shoes made for their children; can't say if Warden gave permission. I have never given any information to the press regarding the affairs of the Prison. I have been taken from the gate and taken inside to do guard duty, and sometimes to allow other guards to go away on Sunday. I claim that my duties should be confined to the gate, as I am gate-keeper. Mr Stedman has put in charges against me privately when Mr Beaumont was Chief Guard.

HAMILTON LYONS.

DANIEL CUNNINGHAM, sworn.—Am Cook and Baker. Was appointed 5th May 1875. About June, 1876, there was an old man in the prison. Mr Stedman came to me and said he was around the galleries about twenty minutes before and found this old man on his knees as though he might be praying, and that just now he found him smoking, and he (Stedman), said: come and I will show you some fun. I did not go, but Stedman went to the old man's cell, and I saw him kick him several times as he was going down stairs. It was on the first or second gallery in the north corridor. I don't know the old man's name. He did not fall. Stedman kept kicking him as he went along. Not long after this, Stedman was about putting Shirley into the dungeon. I had to go down to let him in, as I had charge of the key of the door leading to the dungeon. Mr Stedman and Guard Cassidy were putting the handcuffs on him. After he was handcuffed, Stedman struck him with his clenched fist. The prisoner was very noisy and was making a noise when Stedman struck him. I have never seen any difference in the treatment of the guards on account of their religion. Complaints have been made to me about the cooking of the food for the guard's room, sometimes as to its being underdone, and at other times overdone. I have given no information to the press as to the affairs of the prison. A Mr Everett came to me to get information, and I refused him to the Warden. Everett pressed me to give him information as to cruelty to prisoners.

D. CUNNINGHAM.

JAMES GLANVILLE, sworn.—Am Engineer for the Central Prison. Was appointed at the opening of the Prison. I know nothing about the treatment of prisoners, or the discipline of the Prison.

SAMUEL PEAR, sworn.—Am Prison Guard. Was appointed 6th May, 1875. I have seen no act of cruelty to the prisoners, nor have I seen any difference in the treatment of guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison. There was an undersized man with long light whiskers who wanted information as to the Prison. I told him to go to the Warden; he came to my house.

SAMUEL PEAR.

WILLIAM JONES, sworn.—Am Prison Guard. Was appointed 14th February 1875. In 1879, a man by the name of Spackman was hidden away. I can't give the precise time. When he was found, and Mr. Stedman was putting him in irons in the dark cell, and after he had the irons on, Mr. Stedman struck him on the side of the head with the back of his hand, and said, "you b* * * you have got a good guard dismissed over you." I saw him strike an old man (Edwards), for taking bread from the table and putting it in his hat. About five months ago, I saw Stedman strike a prisoner named Kerrigan, who came in saying he was sick, that there was something the matter with his arm. Stedman punched him in the stomach with his fist, and caught hold of the lame arm and raised it up and made the man cry out. Kerrigan belonged to my wing. He told me to put him in irons, that he was not sick. He did not wait to get instructions from the Warden. I put Kerrigan in irons, and then told Stedman the man was groaning. Stedman then went into the cell and commenced punching prisoner in the ribs, saying "you are not sick." The prisoner kept saying "don't Mr. Stedman." The prisoner was taken down in about three hours. He was sent to Guard Dunn. He was employed, before being punished, in the broom shop.

A prisoner named Farrell looked very sick when he came in from work; Guard Eames reported it to Mr. Stedman, who ordered Farrell to be put in irons; Eames went to do it and could not effect it alone, so he came for me to help him; the man was so sick he could not stand up and we had to lift him and forced his hands to the ring; I held him up while Eames put the handcuffs on; we both came away and Eames locked the dark cell door; I said to Eames "we had better see Stedman about that man." Eames then went back to the cell door and found the prisoner hanging by his arms, his head hanging on his shoulder; we then took the responsibility of taking him down and left him lying on the floor and Eames reported the case to Mr. Stedman who said "let him lie there," and he was left there; the doctor came the same day and treated him as a sick man. I was ordered to put prisoner Bury (colored man) in irons, but could not do it. I told Mr. Stedman and he drew his revolver and pointed it at Bury's head. Bury said he would not go into irons until he saw the Warden; just then the Warden came and ordered him in irons. Mr. Stedman then put him in irons, he being quiet. I got orders from Stedman not to let him down for any purpose, and he directed me that when the prisoner wanted to use the bucket to place it on a chair and lower his pants, and when the prisoner was done with the bucket, to button up his pants after cleaning the prisoner. I was ordered by Stedman to put the prisoner Wells in irons. I do not know what for. He was treated in the same manner as Bury. I have not seen any difference in the treatment of the guards on account of their religion. I have not reported anything to the press about the prison.

WILLIAM JONES.

Investigation adjourned until 7.30 P.M.

Resumed at 7.30 p.m.

HENRY EAMES, sworn.—Am Prison Guard; was appointed at opening of Prison; about two years ago I was on evening duty, and heard some shouting in the north wing. I saw Mr. Stedman and Guards Doherty and Mussell going to the north wing. Mr. Stedman had a long key in his hand. I followed them; when I got there I saw Stedman kneeling on (Lewis') a prisoner's chest, and striking him with the long key. I did not stop to witness the whole, but came away; Lewis was shouting; Guard Doherty was holding him, while Stedman was beating him. Mr. Beaumont told me in the morning that the case was reported. I thought Lewis was insane prior to the beating by Stedman, and other guards told me they thought he was insane; when Stedman came back to the guard-room he had the key in his hand; he said the key was bent; he did not say that Lewis attacked him; about April, 1876, prisoner John O'Shaughnessy had been reported for talking, and the Warden stopped his supper; Beaumont brought the report to me, and told me I was to tell him to go without his supper, as he was reported for talking; I told the prisoner his supper was stopped, and he said "very good;" Stedman came up behind and asked what he said, I said "very good." Stedman followed the prisoner to his cell; I do not know what took place there; Stedman came back and told me to put the prisoner in irons; he remained in irons five days and nights; I had charge of him in day time, and Guard Hill had charge of him at night part of the time, and Guard Stratton the balance of the time; during the time I had charge of him (in day time) he was taken down to his meals; his hands were loosed but his legs remained in shackles; the meals were given him in his cell; his food during these five days was one pound of bread per day; during these five days he was in irons he was very quiet; the second day he was in irons he asked to see the Doctor; I sent in a report to the Chief Guard that he was sick; no answer came; the Doctor never came to my knowledge; on the fourth morning when I went to his cell to relieve Guard Hill he told me the prisoner had been moaning during the night, and he thought something was the matter with him. I went into his cell to see what was the matter and the prisoner told me that during the night he wanted the bucket, but could not get down to use it, so he had answered the calls of nature in his pants; he also said he wanted a drink of water, but couldn't get it. I had to lower him down from the ring, and when I gave him some water he dropped down on the bucket; then I gave him his bread. I returned to his cell after breakfast, and I found that he had not eaten his bread and that he was asleep. I tried to awaken him to put him up to the ring again, but could not. I reported to Mr. Stedman that he was much exhausted, not having eaten his bread for two days, and that it would be dangerous to put him in irons any more, that he was too far gone; he replied "let the b——— die." Stedman did not go down to see him at that time; I got one of the prisoners to help me put him up; he remained up all that day and night until the middle of the next day; he was then taken down and removed to his cell. He remained in his cell the remainder of that day and all the next day lying in his bed, and the day after was sent to work. About nine months ago a young man named Farrell, about nineteen years of age, reported himself sick from one of the shops. He was brought in, and Mr. Stedman ordered him to be put up to the ring. I was not able to do so, as he would not stand, and I got Guard Johns to help me. We put him up, but he bore all his weight upon his hands, so I told Guard Johns I would wait and watch whether he would rest on his feet; but I found he did not stand on his feet, and took the responsibility of letting him down. His head was lying on his shoulders before I let him down. When I let him down, he lay down on the cell floor. I reported the circumstances to Mr. Stedman. He left him there on the cell floor until the doctor came. The doctor came in the evening. I went with him to the cell. The doctor said he had a touch of the fever and he was sent to his cell under the doctor's treatment. About six months ago a prisoner by the name of Collins was working as tailor on the bench in the dining-room. Mr. Stedman brought him to me and told me to put him in irons. I don't know the offence. When I got to the dark cell he refused to be put up to the ring until he had seen the Warden. I reported the fact to Mr. Stedman, and he came down to put the handcuffs on him, and afterwards abused him a great deal. He jammed his head against the wall until the blood came out of his ears, and then fastened him to the ring. He was released, by order of the Warden next day. About nine months ago Mr. Beaumont was transferring some of the reformatory boys from the north wing to the south wing. I remained in the south wing. Mr. Stedman said to a prisoner named [illegible] "come along with me, I want to show you something." He took him to the dark cell where I saw Stedman draw his revolver and put it to the prisoner's face, and say "do you see that? you will get the contents of it if you don't behave yourself in the south wing," and then sent him to his cell. Prisoner Gordon reported himself unfit for work about four months ago. Mr. Stedman brought him up and told me to put him in the dark cell, but not in irons. I asked him if I should give him his food, and he said "no." He was there until the doctor came that evening. I heard the doctor say he was sick, and ordered him to be sent to the hospital. I have often seen Stedman use the stick to men when in marching order, but not lately. I did not think much of it. I never saw any difference in the treatment of guards on account of their religion. I have not reported to the press any of the transactions of the Prison.

E. Banks.

Michael Woods, sworn.—Am Prison Guard. Was appointed 4th Feb., 1876. I have not seen prisoners ill-treated. Have never seen any difference in the treatment of guards on account of their religion. I am not satisfied with the food we get at mess. I think the discipline too severe.

Michael Woods.

John Breadalbane Campbell, sworn.—Am Prison Guard. Was appointed 13th April, 1876. I never saw any cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion. The food at mess does not suit me.

John B. Campbell.

Geo. Fraser, sworn.—Am Prison Guard, was appointed 3rd July, this year. I know nothing of ill-treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion. I don't think the food at mess is properly cooked, and we have not sufficient variety.

G. W. Fraser.

[illegible] Priest, sworn.—Am Prison Guard. Was appointed 9th January, 1875. I know nothing of cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion.

A. C. Priest.

William Hardie, sworn.—Am Prison Guard. Was appointed in August, 1874. About four months ago, prisoners Dillon and Conroy attempted to escape, and were found at three o'clock on Sunday morning, and brought into the corridor. I saw the Deputy Chief Guard (Stedman) beat them with a stick. He struck them both several times. It was a walking stick. I saw nothing more. I have seen no difference in the treatment of the guards on account of their religion. I know Mr. Beaumont; I served in the 13th Hussars with him. I was sergeant; he was sergeant at the same time with me for about two years. I was with him ten years in the regiment. At the time I joined the regiment he was under arrest for theft, or something. He was tried by a District Court Martial, and sentenced to imprisonment in a military jail. I cannot say how long it was—either forty-two or fifty-six days—and he was reduced to the ranks; the crime was making away with the soldiers' clothing. He had been seven or eight years in the regiment before I entered it. Since I came to the Central Prison, Mr. Beaumont spoke to me about our being in the Hussars together, and also spoke about the crime for which he was tried, and said that at the time of his appointment to the office of Chief Guard, he explained all to the Government. He told me some one had written to the Government after the appointment, informing them as to his difficulty in the army, and I think that caused him to tell me.

W. Hardie.

Adjourned until 2, p.m. tomorrow.

Investigation resumed, 2.30 p.m. 7th November.

W. J. Aikins, sworn.—Am Surgeon for the Central Prison; was appointed at the opening of the Prison. I knew prisoner Lewis. I certified on the 5th January, 1876, that he was insane. I understand Dr. Richardson and the County Judge also examined him separately and gave similar certificates; he was sent to the London Asylum, 18th July, 1876. I have no other entry regarding Lewis, and have no recollection of anything further as to his insanity. I have a distinct recollection of being told that Lewis struck Stedman, or struck at him with a part of his bed, but I cannot say whether it was Stedman told me or not. I heard that Stedman had struck him with a key. I don't think I examined Lewis' body. I don't recollect Lewis making a complaint to me. In reference to my diary I find the following entry under date February 15th, 1875: "Lewis, William Guard, and John [illegible], prisoners insane, sent to London Asylum this morning." "[illegible] had fallen while marching to the square and severely bruised his right arm. It was uncertain whether there was a fracture without displacement and complete[illegible]. It was still very much discoloured when he left the Institution." I do not recollect anything about Lewis being gagged. I understood the rules of the prison required that I should be present on all occasions when corporal punishment was inflicted. I was not present when prisoner Finlayson was flogged in January, 1876, and until lately never heard he was flogged. I knew prisoner Dillon. I remember him having a contused cut on the upper and left part of the forehead, which did not extend to the bone or to the covering of the bone. I ordered a poultice to be put on the wound. I understood he had been struck by Mr. Stedman. I think it was after his capture; he, Dillon had escaped and was recaptured. I knew prisoner Coyle; he was one of the Reformatory boys; he was a soft, growing lad. I understood one day he had been sent out to the stone pile; on the 23rd March, 1876, he came into his cell, and on the 25th March was sent to the Hospital; he died on 3rd May of pleurisy and inflammation of the lungs. I think I knew prisoner Farrell; on the 27th April, 1876 I visited him in a cell—I do not think it was the dark cell. I found him feverish, and ordered him a warm bath and a powder to act as an emetic and purgative. (this statement I make in reference to the Hospital day-book), no further entry is made with reference to him; if he had not been better, there would have been an entry. Have heard Emery's evidence read and it may be correct that I visited Farrell in the dark cell. I don't recollect prisoner O'Shaughnessy; there is an entry in the Hospital day-book, Mar. 13, 1876, "O'Shaughnessy constipation dose of salts and senna." [illegible] last night Mr. Stedman showed me some of the charges against [illegible] was placed in irons 23 Mar. 1876." I knew prisoner Gordon. He was being treated for gonorrhoea and swelled testicle on the 16th, 19th and 20th June, 1876; on 21st was sent to the hospital. I can't say whether I saw him in the dark cell or not; his discharge from the hospital has not been entered but he was evidently out of it by the 4th July as on that day he had his testicles strapped, and was able to work and did not remain in the hospital; and on the 9th he was treated again but was able to work. No charge of cruelty to a prisoner on any person has been made to me as Prison Surgeon. I don't remember dressing any wound for any prisoner other than Dillon and Gunstock. Gunstock had bruised marks across the small of the back and side. I understood he had been punched and I thought they were pretty severe; the flesh was well discoloured, but the skin was broken. I don't recollect any prisoner reporting any cruelty or any undue severity while in irons. I cannot give the date Guard Hollard asked me to pronounce whether a prisoner then in the dark cell, was fit to be put in irons again; he had been in irons and I think he had been let down prior to my seeing him; he was a delicate lad about 16 years of age, and I gave my opinion that he was not fit. On another occasion—I can't give the date or name—I was asked to see a man who was in irons, and found he was spitting and coughing and told the guard he was not a proper case to be put in irons, and he was taken down. Some six weeks ago I was asked to see a prisoner in irons and I found he was fit for that kind of punishment. On several occasions I have been asked to visit prisoners in irons; sometimes the Warden and at others Mr. Stedman or one of the guards would ask me to visit prisoners in irons. I don't recollect being called to see Dillon, Hickie, Spackman, O'Shaughnessy, Wells, Farrell, Bury or Gollan while they were in irons. I think it likely I was called to see them, but don't recollect. I have sometimes talked to prisoners when the tears would come into their eyes, and when they expressed penitence they were taken down without my asking. I find an reference in the hospital day book that on August 5th, 1876, Harrigan presented himself as sick, and had a dose for alleged indigestion. I did not consider him sick but gave him the benefit of the doubt; on the [illegible]th of the same month he complained of a pain in the shoulder. I gave him some hartshorn and water with which to rub his shoulder; he did not appear again. Prisoners often believe they are sick when they are not, and I am satisfied they often feign sickness when well. I have often remarked to

Stedman that prisoners feigned sickness, or that they believed they were sick. I have heard a prisoner say who was in irons, that he would rather be in irons than work. My opinion is that it is better to flog a man than to put him in irons for over 48 hours. I think it would be more wholesome to the rest of the prisoners, and more effective as a punishment. I think the prisoners prefer being in irons for a long time to flogging.

W. J. AIKINS.

RICHARD B. ORR, sworn.—I am a final student of medicine. Was attending at the Central Prison Hospital under Dr. Aikins for about six weeks,—from 5th May until in June 1876. I was there every day, sometimes twelve hours at a time. I was alone with the sick prisoners. Beaumont was not there. Stedman was Acting Chief Guard. Don't know the time when prisoners' sentences expired. Some left during sickness; others had to remain three or four months after they were cured. I had no conversation with prisoner Dillon. I asked several of the prisoners in the hospital how they were treated; my reason was that I had seen charges of cruelty in the papers. A very large majority of them said they were well treated. I did not hear them express an opinion regarding Stedman. Some complained of their treatment, but it was generally confined to the Prison diet. Shortly after Dillon was struck by Stedman, some of the prisoners were questioning me about it. I said that the guard had been kept up during the night, to try and find Dillon and Carson; and the majority of the prisoners said it served them (Dillon and Carson), right, that they had no business to try and do what they had done. Did not know a prisoner named Coash. I took my meals in the guard room. Sometimes one or two guards would be present. I have heard the guards complain of Stedman being too strict. I cannot recollect of any prisoner complaining of any ill-treatment by Mr. Stedman. Am twenty-four years of age. From what I heard the guards say, I should judge they had more liberty under Mr. Beaumont than under Mr. Stedman, and that they preferred Beaumont on that account.

R. B. ORR.

Adjourned.

Investigation resumed at 3.30 p.m.

Dr. AIKINS' examination resumed.—I find that on 27th April, 1876, when I ordered the warm bath for Farrel, I visited the Prison at 10 o'clock in the morning, and did not visit it in the evening. If a person's head was jammed against the prison cell wall until the blood ran from his ears, the probability would be that his skull would be fractured, and he would be insensible. No such case has come under my knowledge since the opening of the Prison. I have known Mr. Stedman ever since the Prison opened; I consider him a sober, exceedingly industrious, very intelligent and active man; and, so far as I am able to judge, he has discharged his duties with a great deal of intelligence and zeal; and if he has erred it has been from excess of zeal in endeavouring to make the management of the institution as perfect as possible. I have never seen any harshness on the part of Mr. Stedman to the prisoners. I have frequently seen him, when a man would come up saying he was sick, give him a quiet poke in the side, and say "I guess there is not much the matter with you," and frequently the man would laugh. He has displayed an interest in the physical welfare of the prisoners, by calling my attention from time to time to the quality of the food, or the way in which it was prepared; also to the clothing of the prisoners, and on one occasion particularly, when he called my attention to the fact that prisoners, during the colder part of the year, should not be allowed to take off a thick flannel shirt and put on a thin one. On another occasion he called my attention to the want of ventilation in the kitchen owing to the door leading to the store-room being closed; he also called my attention to the prisoners being taken out in the rain. He is a thorough disciplinarian, and any man discharging his duty faithfully at the Central Prison will make enemies, and Mr. Stedman has made enemies. I have heard no complaints on the part of the guards against Stedman. It was a sort of undercurrent of grumbling.

W. J. AIKINS.

RICHARD STEDMAN sworn.—Am acting Chief Guard. Was appointed Deputy Chief Guard at the opening of the prison and on the dismissal of Beaumont on 6th March, 1876

I was appointed acting Chief Guard. I am not aware of being overbearing to Mr. Short (the Bursar). In making requisitions, I acted under and in accordance with instructions from the Warden. I never said to bailiff English that the Chief would soon occupy Mr. Short's chair and that I aspired to the Chief's position. I did not consider Mr. English friendly to me, and did not give him any confidence; in fact I was on my guard when talking to him. I did not indulge in expressions of hostility towards any of the guards. I have had frequently to report, more than any one else, the cook (English) for smoking, reading newspapers, and being asleep in the kitchen. Sometimes McCarthy (the Steward) is friendly, sometimes not. I have had to report him, but cannot now say what for. I have frequently had to report Guard Ainsworthy, as he was very careless. Guard Coutts was the same. I had to report Geary. I have reported guards whenever I found it necessary, without fear or favour. I have never spoken to any prisoner about the affairs of the prison, and have not on any occasion invited the confidence of a prisoner. I did not entice prisoner Hunt as stated by Mr. Short. Prisoners' hair was always cut short up to the day of release, until about a year ago, since which time we do not cut the hair for a month prior to their release. I used Hunt just as all the others were used, and acted in the matter of hair cutting under orders of the Warden. Willis was insolent to one of the guards, and as a punishment the Warden ordered him to be removed from the stores to the stone pile. I never cut up any prison sheets for my own use. There were four sheets made into clothes for a little coloured boy (a prisoner), we had no clothing small enough, and Mr. Beaumont ordered them to be cut up. I knew prisoner Lewis; he was one of the first prisoners moved in. He was a very troublesome man, he struck a prisoner over the head with a shovel in the foundry about the end of December, 1874. While I was on duty in the guard room, there was a great noise in the corridor. I went out and the corridor guard came up and said prisoner Lewis was breaking up all the furniture in his cell. I told Guard Doherty and two of the other guards, I forget their names, to go down and bring him (Lewis) out of his cell down to the dark cell where there was no furniture. I then reported him to the Warden. This was about half past nine p.m. I reported him to be breaking up his cell furniture, and tearing his clothes. He told me to tie his hands behind his back and gag him, to prevent his making such a noise. I went back to the guard room and got a cord and a piece of pine wood, and made a sort of gag. When I got to the gallery I found the three guards outside of Lewis's cell, and Lewis inside defying them to come in. I told them to open the door and let me get in; as soon as the door was opened Lewis flew at me with a piece of iron he had taken from his bed. I had a long key in my hand and I struck him across the buttocks, and then closed on him and we both fell to the ground and that is the time he got the hitting with the key and the rope both. When he and I were clenched together Guard Doherty tied his hands and gagged him. We then left him sitting up on a part of his bed. Guard Doherty is not in this country. I told the night guard to visit him frequently. I reported to the Warden next morning that I had struck the man with the key and that Lewis had struck at me. The other guards—I don't know their names—struck him with their keys when he and I were down. I struck Lewis in self defence. Up to that time I never heard of his being insane. I did not hear any of the guards speaking about his being out of his mind. I told the night guard to report to me if he saw anything wrong. I gave no orders to him about the gag being taken off if quiet. In about three quarters of an hour the guard came to me and said "It is very little use tying that man, he has got his hands in front and has pulled the gag out of his mouth." He was found tied all right, but his hands were in front of him. I gave Finlayson 12 lashes across the buttocks with a rope's end. Finlayson was about 16. The Warden ordered me to inflict this punishment. Beaumont then commenced and flogged him over the head and shoulders with a white oak stick. He was very faint when I took him down and was covered with marks from the small of his back to the top of his head. The Warden did not order the beating by Beaumont. He had secreted himself with the intention of escaping and the punishment was for that. I remember bailiff English being brought before the Warden for making a noise the night previous but do not recollect the particulars. I had nothing to do with Newton's statement, had not spoken to Newton about it. When it was my night on, I have often sat up until 12 o'clock at night, when it was known the Bailiff was coming with prisoners. There is an order preventing boys going through the prison. I did ask Mansell if he was not aware of the order against children going through the prison. As regards the charge made by Mr McCarthy as to my keeping on my hat at Catholic service, and not allowing the man to kneel I may state that it was fully investigated in 1875, and Mr. Crooks disposed of it so far as I am concerned, by ordering me to be cautioned. Since that I have never used any objectionable language to a Catholic guard reflecting in any way on his religion. The charge that I was ordered to hound down McCarthy is not true. The charge as to Guard Scobern was investigated in 1875, and disposed of by Hon. Mr Crooks. Mr McCarthy's charges were all made at the investigation held in 1875 and were adjudicated upon. I produce the stick I generally use when on duty. It is a very light cane; I sometimes use other canes, but they are all light. I have often tapped Gilsborn on the heels to keep him in step, as well as other prisoners. Other guards have done the same. Sometime ago, the Warden ordered that practice to be discontinued, and it has not been practised since. The Warden made the order on account of Guard Mansell striking a prisoner in the front grounds, across the back; the Warden saw it. The general practice was to tap men on the heels to get them into the step. There are standing orders that for certain offences prisoners are to be put in irons, and then reported to the Warden; and another class for them to be put in the dark cell and then reported. I don't think these orders were in writing. The offences referred to were ;—all acts of violence, fighting, threatening the guards, and all insubordination and refusing to work; for these offences the prisoners were to be put in irons and then reported. For talking, smoking or other minor offences the prisoners were to be placed in a dark cell, and then reported to the Warden. If a prisoner said he was sick, and I thought, when reported to me that he was shamming, it was in order that I should put him in irons, and then report. There were no chairs made in the prison for me. I made two chairs for myself. I made a table in the Guard Room and raised it myself. I got the board planed in the prison. I made the box myself and the inlaid work I did myself. I bought the different sorts of wood down town. The Warden gave three trees to Guard Unlocke. I gave him some. Prisoner [illegible] [illegible] a [illegible] in the guard room. He cut horn work for every guard then in the prison. I can't say how much he cut for me. He worked in my room for the vise and tools are there. Prisoner McCarthy painted for me in my room. The Warden gave permission. He painted pictures for the Warden; they are now in the building. He painted pictures for Chief Guard Beaumont, Guards Newton, Hill, Gifford, Eames, Johns and myself. The pictures—all but those of the Warden—were taken away since by consent of the Warden. I can't say as to the rest. McCarthy was not able to work at anything else. I did not strike Jones or any other prisoner sufficiently hard to take the skin off his fingers, or to cause it to come off. I took a [illegible] meat or bread from a prisoner he who had placed it in his hat, and struck him on the ear with the back of my hand. It may have been Edwards.

Adjourned.

Resumed 10 a.m. 8th November 1876.

R. Stedman's examination continued.—I knew prisoners Dillon and Carson, about two months ago they secreted themselves with a view to escaping from the prison. They were out two nights and one day before being found. I received instructions from the Warden that when I found them I was to give them a good licking. I did so. I gave them six stripes apiece over the shoulders with my walking stick. It was an ordinary walking stick and not very heavy. It was not the small walking stick produced yesterday. The cane I struck Dillon and Carson with had not a ferule on six inches long. I then put them in the bath, and after washing them, found that Dillon had a scar on his head. I don't know whether I had done it or not. I don't think I did. He had been poking around in the dead of night and may have received the injury in that way. I have no recollection of telling Dr. Aikins that I struck Dillon on the forehead. They (Dillon and Carson) were then placed in the dark cell in irons for 36 hours, and wore leg irons during the balance of their term in prison. I did not knock prisoner Dillon down with my stick. I knew prisoner Comb. About April last, I received a report that he was sick and unable to work. I went out and found him lying in a box covered up with prisoners' clothes. I made him get up. He said he was sick and not able to work, and that he was not scheming. I sent him back to his cell. I have no recollection of having put a hand on him. There was no occasion, he was quite a soft boy, and well behaved up to the time of his attempted escape.

I knew prisoner Hagle. He made me boots and shoes upon requisition, and I paid for them. I can't say how many pair I got made. There were two pairs boots, and one pair shoes. There may have been more. I have had boots and shoes repaired. It was the custom of the prison, and other guards did the same. I remember reporting Gifford for bringing in his men to bathe before time. It came to my knowledge afterwards that Guard Uniacke had bathed his men before Gifford. Why I did not report Uniacke I can not say. I do not consider Uniacke a friend of mine. I don't remember reporting Guards Gifford and Doherty, and not reporting Uniacke, in December, 1874. I never made any change in my practice in visiting guards, owing to any supposed, or real difficulty between us. Last January prisoner Bary was in the guard room as waiter. In the evening he brought a revolver to my room, stating he had found it in his cell. I took it from him, and asked him if he knew whose it was, he said "no," and I put it in my drawer. In the morning, I handed the revolver to Mr Beaumont, and reported the circumstance. Beaumont laid the revolver on the table in my room. He then paraded the wall guards, and came back to the room, and then went out. I went up some time after, and found the revolver on the table. I placed it behind the cushion on a chair. There was no one in the room at the time, but a prisoner may have come in afterwards. The Warden investigated the matter, and it was found that the revolver belonged to Gifford. I told Gifford the revolver was on a chair behind the cushion in my room. The revolver was loaded. I did on two or three occasions, find Guard Uniacke's revolver lying on the bed in the dormitory. I did not report him, but threatened to do so the last time, and have not seen a revolver in the dormitory since. There have been two or three raffles for watches in the prison. Don't remember anything about armoury being opened. I never told Guard Gifford I had let prisoner [illegible] and that I was afraid of being [illegible]. I could not have done so, as the Warden gave his permission. I never heard an order read requiring the cells to be unlocked by guards only, and the Warden told me nothing of the kind. My recollection is, that there were two or three complaints made against Mansell, by Gifford, and that I reported to the Warden in the yard, verbally. Mr Bourne gave me the labour of a prisoner to upholster a lounge, and the work was charged to the Canada Car Company. I knew prisoner O'Shaughnessy. On the first May 1876, he was ordered by the Warden to be placed seventy-two hours in irons. At the breakfast hour when the men were marched down to breakfast he was not pleased with his breakfast, and threw it across the table, saying if he were the hogs he would not take it. He also at that time swore at me before the prisoners and threatened me in the words, "I'll do for you, you G——d d——n son of a b——h." I reported this to the Warden, who ordered him to be put in irons 72 hours. He was placed in irons and the instructions to the guards were that he was to be taken down to see the doctor. He should have been taken down to his meals and put in irons again. He should not have been taken down at night. I cannot say how it was as to O'Shaughnessy. Prior to this O'Shaughnessy was one of the worst prisoners we had, and after that, one of the best. I never said to Guard Keenan "let the b——r die." He is correct as to the food. Prisoners in irons are allowed a pound of bread a day and water. No prisoner has been confined five days and nights in irons since the opening of the Prison. When I went into the cell to prisoner Hickey (as stated by Guard Uniacke), it was between eight and nine, and it was dark. I released Hickey—he was in irons for insubordination—myself, and when I had loosened one hand and he had possession of his left, he said he would not allow any black one of a b——h like me to take him to the dungeon. When he was saying this Guard Uniacke was unfastening the shackles from his legs. I struck him a slap on the side of the ear with the back of my hand, and that only once. I don't recollect striking Gibbons. I did not poke my cane against Carson's ribs. I recollect the prisoners referred to by Guard Lyons: they were Gemmock, McKenna and Pomroy. After they were found they were struck by all the guards present. I struck McKenna: it was for starving themselves they were struck. They were placed in irons for 24 hours. I do not know whether they worked in shackles or not for the balance of their term. I have no recollection of the circumstances referred to by Cook Cunningham as taking place in June 1875 I never kicked an old man down stairs I never struck prisoner Speckman. Guard Johns statement as to my striking Speckman and to the expressions I used to him (Speckman), is untrue the Warden was present all the time. I never struck prisoner Harrigan; he was in the north wing, and Guard Johns reported him sick; I asked Harrigan what was the matter, he said a pain in his arm, I took hold of the arm and lifted it up to see where the pain was, and he cried out, as he had often done before I told him there was nothing the matter with him, and he would have to go to work, and I put him in irons and reported to the Warden who said I was to leave him there until the doctor came. I can't say how long he was left there I went to him some time after he was making the same complaint, and thinking there might be something the matter with him, I took him out of irons; the doctor visited the prison shortly after and examined Harrigan, and told him there was nothing the matter and sent him to work. I did not punch him in the ribs. I knew prisoner Farrell; some time in April or May this year I found him in his cell asleep, with his clothes on including boots and hat this was the searching out time in the morning; he complained of being sick and I took the Doctor to see him he ordered him to have a bath, and to be sent to work next morning; I sent him to work next morning; the morning afterwards he came to me and said he was sick and unable to work. I said I thought there was nothing the matter and that he could either go to work or to the dark cell he said he did not care a d—n whether he went to the dark cell or not I then put him in irons; that same morning I reported the offence to the Warden, and that I had placed the prisoner in irons. In passing through the dining-hall a guard told me (I think Bennett) he thought Farrell was sick and I told him to take him out of irons, and to leave him in the dark cell until the Doctor came; the Doctor came, and on examining the prisoner, pronounced him well, and sent him out to work he worked in the fire hole for the Car Company, and did not complain of sickness afterwards. I knew Busy a prisoner I ordered him to be put in the dark cell for threatening me in the yard. I forget the date; Guard Johns came and told me Busy would not be put in irons; at that time the Warden came along, and I told him I had ordered Busy to be put in irons for threatening me, and that he had refused to be put in irons he went down to the dark cell with me, I went into the cell, and when Busy refused to be put in irons, I drew my revolver to frighten him (it was not loaded at the time), but he still refused, saying he would not go in irons unless the Warden ordered him; the Warden then gave the order and he allowed me to put him in irons. I never ordered Guard Johns not to lower Busy down for any purpose, or to put the bucket on a chair where he wanted the bucket prisoner Wells was put in irons, but I did not order Johns or any other Guard not to lower him down for any purpose; I saw Wells down sitting on the bucket myself. Wells was not in irons more than once. I do not remember saying to Guard Bennett on my return to the guard-room, after the trouble with prisoner Lewis, that the key was bent.

Adjourned

Investigation resumed at 2.30, p.m. 11th Nov. 1876

MR. STEDMAN recalled.—About the beginning of this year I was passing through the dining hall and found Collins quarrelling with one of the tailors, and threatening the tailor with a pair of scissors. (The prisoner Collins was serving out a two years sentence for stabbing). When I spoke to him he was very insolent, and I brought him before the Warden, who ordered him to be put in irons. Guard Bennett took him to the dark cell, and returned to the office and stated that Collins would not go into irons, and he could not put him in. I went to the dark cell and told Collins he must go into irons; he would not, and I then threw him down and while down he kicked me in the breast, and once in the privates the last kick I am not over the effects of yet. I put the irons on, and put him up to the ring. I did not jam his head against the cell wall. his punishment was to have been 58 hours in irons, but the Warden visited his cell the next day and on his promising to behave himself in future, ordered him to be let down, and he was taken down and sent to work. I never presented a revolver at Comstock. I did order Gordon to the dark cell he had been discharged from the hospital by Dr. Allison a day or two before, and refused to work, and I told him he must either work or go to the dark cell; he said he would go to the dark cell, and I sent him there. The same day or the day after Evans said he would take Gordon as a cleaner, and he was allowed to work under Evans as a cleaner. I have had conversation several times with Dr. Aikins about prisoners' shamming or pretending sickness when quite well. The Doctor has often examined prisoners who said they were sick, and has sent them down to work, as he found there was nothing the matter with them. The Surgeon visits the Prison at irregular hours, sometimes at 10 a.m., and at all hours from that until 4 p.m. He does not come every day. Sometimes Dr. Wagner comes. Sometimes a day elapses without either of them being here. The rules require the Gaol Surgeon to visit the Prison at least once a day, not later than 9 a.m., and oftener if required. It is almost impossible to tell whether a prisoner is shamming sickness or not, if the Doctor is not present.

All these charges brought against me for putting prisoners in irons, are cases when the other guards were unable to put them in.

I was sent to Albany before the opening of the Prison, under instructions from the Inspector and Warden, for the purpose of learning the management and discipline of that place. I saw one or two prisoners punished; they were placed in irons, and a black cap drawn over their heads, so that they could not see; the ring is placed the same as in the Central Prison. I don't know the character of their offences, or the term of their sentences; the treatment of the prisoners in that institution is much more severe than here.

I never reported anything to the press since I was appointed Deputy Chief Guard in 1874. If the other guards cannot put a man in irons, they come to me. There was a prisoner of the name of Ormond who, one morning, would not come out of his cell to work; three of the guards went to bring him out, but were afraid to go into his cell, so they sent for me, and I brought him out and placed him in irons in the dark cell; after he was in irons, Beaumont took off the prisoner's boot, and beat him over the head, and cut his head open in two places; that case was never reported to the Warden; it was Beaumont's duty to report; he was kept fifty-one hours in irons. I told the Warden about it one or two days afterwards. A prisoner named Quinn would not leave the cell, and when I went to the cell I found Beaumont beating him with a stick; I refused to bring the prisoner out. I once found a knife on O'Shaughnessy when I was putting him in the dark cell; it may have been the knife referred to in the evidence given by the guards.

RICHARD H. STEDMAN

CHARLES BRANDON sworn.—Am head foreman in the Mechanical Department of the Canada Car Company's works, in the Central Prison; I never saw any cruelty to prisoners; they are not punished in my presence; when prisoners have been in irons, I have noticed their wrists were swollen and their arms would be stiff. There has been no ill-treatment of prisoners inside of the shops so far as I know. I never was employed in any industrial prison before. About March, 1876, prisoner Parkins reported to Guard Kirkpatrick that he was sick and unable to work; the guard told me he reported him; the prisoner was brought back, and left standing near the door. I thought Parkins unfit for work.

A. BRANDON

Adjourned.

Resumed 3 p.m. 18th November.

GUARD NEWTON recalled.—The bone and ivory work referred to by me in my former evidence consisted of ear-drops, crosses and other ornaments for watch chains. I don't know whether Jones made bone-work for other guards or not; I have seen bone ornaments on other guards, and hair-watch-chains, but don't know how they got them. I never had any bone-work made by prisoners. This was prior to May 1876; the Warden, about that date, issued an order forbidding guards having any work of the kind done by prisoners.

Mr. Stedman told me the bone-work was for him. I think prisoner Lewis was confined to his cell, because he was considered insane. I understood so at the time; the next morning after Lewis was beaten, I heard it talked about by the guards. I never heard any of them say that Lewis had offered to strike Stedman before Stedman struck him with the key, or that he resisted in any way; nor did I hear that any of the guards were afraid to go into Lewis' cell. I have seen prisoners resist when being put into the dark cell. It is a common thing to find knives and files on prisoners. I think they get these things for carrying on bone work in the cells.

E. Newton.

Guard Hames, recalled.—After Lewis was struck by Stedman it was talked about by the other guards. I did not hear any of them say that Lewis had offered to strike Stedman, before Stedman struck him, nor that any of the guards were afraid to go into Lewis' cell. Before Lewis was struck, he was considered insane, he was allowed to go around the prison yard, and not made to work.

I have put men in the dark cell, and on searching them have sometimes found knives and files. I never knew or heard that any prisoner had drawn a knife or file on a guard.

H. Hames.

Guard Jones, recalled.—I assisted Guard Hames in putting Farrell in irons about April of this year. I cannot state the time I put prisoner Walls in irons. I put the prisoners who are in the north wing in irons when ordered; no other guard does this duty unless acting Chief Guard Stedman, who sometimes puts prisoners in irons himself. I recollect guards in the guard-room talking about Stedman striking Lewis with a key. I did not hear any of the Guards say that Lewis offered to strike Stedman before Stedman struck him. I did not hear that the other guards were afraid to go into Lewis' cell. I sometimes find knives and files on prisoners when searching them in the dark cell; they never offered to strike me with a knife or file. I never heard of a prisoner drawing a knife or file on a guard.

W. Jones.

Guard Mansell, recalled.—The night Stedman struck prisoner Lewis, I was not afraid to go into his cell. Lewis did not dare me and other guards to come in; I opened the cell door; I could see all that took place in the cell; I think we had a lantern with us. Lewis had nothing in his hand; he was looking at the top of his cell, and was not looking at us; he was shouting at the top of his voice and seemed to be frightened at something that had occurred previously to our going in. Lewis did not take hold of Stedman. Stedman threw him on the bed, and Lewis continued shouting, when Stedman struck him with the key. I can't say how many times, but more than once. Stedman took hold of the key about one third of the way up. Mr. Stedman did not say to me that Lewis had offered to strike him. There was a stone which would weigh about three or four pounds in the cell; it had been broken off the upper corner of the cell. Lewis did not have that stone in his hand when we went in the cell; the bedstead in the cell was made of iron. I did not notice that it was broken; the leg of the bedstead, or a piece of the frame work might be broken off by a strong man; had the leg been broken we must have noticed it when Lewis was thrown on the bed. I was the corridor guard on duty that night. One of the reasons why I thought him insane was, that when he was asked a question he would answer as though quite a different question had been put to him. He appeared to be gloomy and absent minded; he never spoke to another prisoner to my knowledge. I considered him a man who might commit suicide. The beating took place not over a week previous to his removal to the London Asylum. I went round several times in the night, and the last time I went round he was still hand bound; his hands to the best of my recollection were behind him; the blow was as hard as Stedman could give in the position he was placed in. I think Stedman struck him before he threw him on the bed but am not certain. I have seen prisoners make resistance and heard of it very frequently. I have often found knives and files on prisoners. I have never known a prisoner draw a weapon on a guard. Mr. Stedman told the guard that a prisoner had taken up a hammer to strike him. I have heard of guards sending for Stedman when prisoners were cutting up ugly. O'Shaughnessy was evidently a very bad man and would not hesitate to say anything, and I believe would do bodily injury. I have never heard any expression by any guard which would indicate they desired to get rid of Stedman. Prisoner [illegible] was a nasty tempered and a dangerous man. I have seen him domineering over an old man, and when the old man would not do what Hickie wanted he got into a passion and said he would strike him if he had been outside.

Wm J. Maxwell.

Guard Urquhart recalled.—Lewis acted very foolishly. When he was asked a question, he would not answer. I think this was before he was struck with the key. I heard he had tied up a bundle in the shape of a man, in his cell. I remember the guards talking about Lewis being struck. I heard Doherty and others talking about it. I did not hear them say that Lewis offered to strike Stedman before Stedman struck him. I did not hear anything about the guards being afraid to go into Lewis' cell. I think I heard Guard Gifford say that he and Lewis had some difficulty one morning. I remember the time Mr Gifford relieved me, about the bathing. I met Mr Stedman at the door, and he asked what I brought up my men for? I said, "It is four o'clock." He said, "No." Cannot say whether I met Gifford's gang or not. I remember prisoner Hawkins about four months ago I heard some one calling in the dark cell. I went to acting Deputy Chief Guard Newman and told him Hawkins (the prisoner) was in a fainting condition. Hawkins' face was pale. I did not hear Hickie say to Stedman in the cell, he would not allow any black son of a b—h like him to take him to the dungeon; he might have said so, but I did not hear him. I did not hear Stedman strike him in his cell. It was outside where I saw Stedman strike him. He was very noisy in his cell. Outside the cell I saw Stedman strike him, as given in my evidence. When we took Hickie out of his cell, I walked by his side, and Stedman said, "Hickie, you are not going to carry on any of your capers here," and struck him. I do not think Hickie said anything after he left the cell, until he was struck. He struck him with the back of his hand. I think his fist was clenched. I think I am certain. I was close to Hickie, and by the pressure of Hickie against me when struck, I think Stedman's fist must have been clenched. Hickie was a bad man,—he had a very bad character before coming here; he had a dangerous look, and was considered dangerous, and had threatened Guard Souters. I have found knives on prisoners. I never knew or heard of prisoners offering to strike guards with knives, or files, or other weapons.

M. Urquhart.

Adjourned.

Resumed 7.30 p.m., 18th November.

Guard Gifford recalled.—When Lewis was in his cell he was always reading the Bible, and would ask me the meaning of certain verses. From the peculiar character of the questions and his manner of asking them, I thought he must be insane. When I was on night duty I would hear him shouting in Welsh. The next day after Stedman struck Lewis it was a matter of general conversation. I never heard any of the guards say that Lewis had offered to strike Stedman before Stedman struck him. I did not hear that the guards who were with Stedman were afraid to go into Lewis' cell before Stedman came up. I did not have any bone work made for me by any of the prisoners. I have found knives and files on prisoners. I am of opinion they got the knives for the purpose of cutting tobacco, and the files to make bone work. The knives were made out of pieces of steel or iron, and stuck into a wooden handle. I never heard of a prisoner offering to strike a guard, either with a file, knife, or any other weapon. I never had any trouble with Lewis. I never told Urquhart I had. Hickey was a quick-tempered man. O'Shaughnessy was a quick-tempered man.

Wm. Gifford.

Guard Hill recalled.—I witnessed a raffle in the guards' sleeping apartment in April, 1876. The armoury was in the dining room. I was in the guards' sleeping apartment when they were raffling. Guard Gifford came to me and drew my attention to the fact of the armoury door being open; there were three or four prisoners (guard room waiters) in the dining-room, having their breakfasts. Mr Stedman was in the sleeping apartment taking part in the raffle. The corridor guards keep the key of the armoury. I did not tell Mr Stedman or any other guard that the armoury was open, and did not shut the door. The reason I thought Lewis insane was hearing the guards say so. I do not think a sane man would shout in the way he did. I do not remember anything being said about it afterwards by the guards. I did not hear that Lewis offered to strike Mr. Stedman before Stedman struck him. I have found knives and files on prisoners; I never heard of a prisoner offering to strike a guard with a knife or file. I heard prisoner Farrell say that he would knock some person on the head with his hammer if he thought he had any extra time to put in after his sentence expired.

FREDERICK HILL.

D. CUNNINGHAM, recalled.—At the time I saw Stedman strike prisoner Hickey I was about six feet from him. Uniacke was forcing Hickey along. Hickey was very violent; he used some very obscene language; he called Stedman some very offensive names before Stedman struck him.

D. CUNNINGHAM.

Dr. AIKINS recalled.—In visiting the Prison I have been brought into constant communication with Mr. Stedman, and have had the very best opportunity of forming an estimate of his ability as Chief and Deputy-Chief Guard; also, of forming an opinion as to his disposition, and I have no hesitation in saying that, in my opinion, Mr. Stedman is not a cruel man; prisoner Perkins may have complained of being sick and sent out to work, but on no occasion has a prisoner been sent to work after being examined by me and found unable to work, until I discharged him as convalescent.

W. J. AIKINS.

WM. STRATTON PRINCE, sworn.—Am Warden of the Central Prison; was appointed prior to the opening of the Prison; previously to my appointment I held the office of Chief of Police of Toronto for about 14 years; after being sworn in, and prior to taking charge of the Central Prison, I visited the following Prisons in the United States for the purpose of ascertaining the system of working, and particularly as to prisoners' diet, punishments, and the general discipline: Albany Penitentiary; Massachusetts State Prison at Boston; House of Correction at Chicago; the Illinois State Prison at Joliette; House of Correction at Boston; Michigan State Prison at Jackson; and the House of Correction at Detroit. These are all industrial prisons. The Albany State Prison, the House of Correction at Detroit, the House of Correction at Chicago, and Monroe County Prison, assimilate more nearly to the Central Prison as to term of sentence; while in some cases the term of sentences is for life they yet receive prisoners for as short a term as twenty days. The Albany Penitentiary ranks first among American Industrial Prisons as to strictness of discipline, also as a financial success. With the approval of the Inspector I adopted the system of the Albany and Joliette Prisons as my guide in discipline and management. During my visits to these prisons, I found them therefore exceedingly reticent as to punishments. I did not see any punishment record book. The system of punishment in Illinois, being the pumping of cold water on the spine, I did not approve of. I understood from the Deputy Warden, that at Albany, Joliette, and Massachusetts, the punishment in irons in dark cell ranged from 12 hours to 15 days, according to the offence, and was regulated according to the conduct of prisoners when in irons. I saw a prisoner undergoing punishment in irons,—he had been in irons for a week. He was said to be a very dangerous character, and would strike any of the guards he could get at. Punishment in irons in a dark cell was inflicted for insubordination, fighting, disobeying rules after repeated warnings, assaults upon officers, refusing to work, and repeated breaches of prison discipline. On my recommendation Mr. Beaumont and Mr. Stedman were sent to visit these Institutions,—Mr. Stedman to Albany and Mr. Beaumont to Joliette, on their return they made a full report as to discipline, diet, and everything connected with those prisons. The Central Prison opened on 1st January 1874. Mr. Beaumont being the Chief Guard and Mr. Stedman the Deputy Chief Guard, I may state here that the dungeons in Albany and Joliette Prisons were situated away from the corridors. In the Central Prison we had no dark cell or place of punishment. I was compelled to select 4 cells, two in each corridor, and convert them into dark cells, by putting a wooden door in front of the grated door. I adopted, as far as possible, the system meted out in Albany as to punishment, being guided by the information I obtained on my visit to the Prisons, and that furnished by Mr. Beaumont and Mr. Stedman, and in no case has a prisoner been confined in a dark cell, and in irons, continuously for more than 72 hours, and in only one instance for that time, and he was taken down to meals, and to use the bucket; this was for insolence to the Guard and Foreman. After a prisoner has been for many hours in irons, I always ask him if he is sorry, and if he expresses penitence, I have him taken down. I do not remember the particulars of the insolence in the case referred to, when the punishment was 72 hours. In awarding punishment, I am guided by the previous conduct of the prisoner, the nature of the offence, and the age, health, and constitution of the man. As a general rule, I have found the system of punishment effective in accomplishing the object desired. Mr. Stedman's evidence as to cutting hair of prisoners' heads is correct. About eighteen months ago I issued an order that the hair of prisoners was not to be cut for one month previously to their discharge, and that order has been obeyed. I remember Stedman reporting that prisoner Lewis was shouting and disorderly, and disturbing the whole wing, and that other prisoners were following his example, and that he was tearing his bed to pieces. I ordered him to be handcuffed with his hands behind his back, and to gag him. It is so long ago I cannot state positively as to Lewis being insane at that time; if he was a lunatic, he was a very violent one. No officer made a report to me that Stedman struck Lewis with a key; the first I heard of it was during this investigation. I ordered the Chief Guard to take Finlayson out and give him a good rope's ending; he (Finlayson) had secreted himself for two days and nights, and kept the guards up. That Beaumont struck him with a stick was not known to me, and I would not have allowed treatment of that kind had I known it. I gave verbal orders to the Chief and Deputy-Chief Guards that prisoners that are reported to them by the other guards for fighting were to be placed in the dark cell, and if in putting them into the cell the prisoners were violent, they were to put them in irons and report to me. Also, if prisoners refused to work, and on being removed from their gangs became violent or insubordinate on being taken to the dark cell, they were to be placed in irons and reported to me. If prisoners were found talking, skulking, idling, or other minor offences they were not to be removed from their gang, but reported for my disposal in the evening, after they came off labour, when they would be sent to the dark cell, or deprived of their light, and of supper, according to the nature and frequency of the offence. If the prisoner reported himself sick, it was the duty of the Deputy-Chief Guard to keep him in his cell and then report to me, but not to put him in irons. Prisoner McCarthy was not able to do any hard work, and having nothing else for him to do I allowed him to paint two pictures for my room, and some for the guards. I consider the pictures in my room the property of the Government, as part of the furniture. I did say to Stedman to lick Dillon and Carson when they were found. I did not suppose he would strike him over the head with his cane, as alleged by some of the guards. I never heard of a raffle taking place in the prison until this investigation. If I had heard of it, I am certain it would not have occurred again. I do not think I ordered O'Shaughnessy 72 hours in irons; my impression is I ordered him in irons until further orders, and that he was obstinate and was kept in irons for 72 hours. I do not recollect being present when he was put in irons. I visited him every day and found him stubborn and unyielding. His offence was insolence to the Guard and Foreman, and refusing to work. He was a stubborn, dogged, troublesome man, and a light punishment, or a short term in irons, would not have had any effect. Prisoners in irons were in all cases to be taken down to meals, and to the bucket at 5.30 p.m., and at 6 o'clock in the morning. During the night they could not be taken down without turning the crank which bars all the doors, nor without disturbing all the prisoners in the wing and waking up the guards in the dormitory to get the key. Guards were not allowed to strike prisoners, except in drilling when a slight tap to call the attention of the prisoner to his feet or arms not being kept in the right place, was allowed. Even this has been discontinued, as I found one of the guards had struck a prisoner over the back with his cane. One afternoon the Deputy-Chief Guard reported that prisoner Easy would not go into irons as I had ordered. I went to the dark cell and saw the man. He defied the guards. I told Stedman to put him in irons. Easy defied him, and when Stedman went to put the irons on, Easy said—"If the Warden says so, I will be put in irons." And he did not offer any further resistance. I saw Stedman draw his revolver, and I heard him say to Berry he would take no nonsense and that he had better be quiet. Stedman afterwards showed me his revolver and it was not loaded.

W. S. PRINCE.

Adjourned.

Resumed at 11 a.m., 14th November 1876.

STEPHEN LETT, sworn.—I am Assistant Physician in the London Lunatic Asylum. I was appointed in September 1874; I remember that on the 19th February 1876, three lunatics were brought from the Central Prison to the London Asylum, by the Prison Bailiff; their names were John Elmes, Edwin Lewis and William Guard; when a lunatic is received from a prison or gaol by warrant, he is handed over to one of the chief attendants with instructions to examine the patients at once, and see whether he is clean, has bruises, or eruptions, &c., and if the lunatic is not clean, or has bruises on him or eruptions, the attendant reports at once to one of the doctors; the attendant would make a report in any case; in this particular case, I noticed there was something wrong about the motion of Elmes' arm, and sent for Dr. Alexander to examine him; he reported the arm as being extensively bruised, and that Elmes could not raise it without the assistance of the other hand; William Guard was, I think, reported all correct; Edwin Lewis was reported as having a bruise on his head; I may have said to the prison bailiff that one of the lunatics had been badly bruised; if I did say so I must have meant Elmes; the bruise on Lewis' head could not have been very serious or I would have heard of it; when lunatics shout or make a great noise we remove them to the refractory ward and sometimes give them a sedative or a stimulant; we never gag them or tie their hands behind their back; lunatics are frequently tied by the hands to prevent them destroying property; I have never seen lunatics with their hands tied behind their backs; when Lewis first came in he was put in the refractory ward, owing to representations that he was an epileptic, and had hallucinations which might lead to homicidal acts; we found Lewis quiet enough; he may possibly have shouted but I cannot remember his doing so; he has not had a fit of epilepsy since he came to the Asylum; cases of tying the hands of lunatics are very rare indeed in the London Asylum, and when I said tying the hands, I [illegible] muffs are put on.

STEPHEN LETT,
M.C.P.

Dr. Aikins' certificate as to the insanity of prisoner Lewis, is dated 5th January 1876.

The Doctor in his certificate states: he is unwilling to communicate in conversation, looks insane, imagines persons are laying snares to get him into difficulties. Is naturally depressed, sees visions, has communications from heaven, &c. &c. He has not attempted or threatened to harm himself or others. It is alleged by the Central Prison Hospital Guard that he had an epileptic fit in church on the 3rd instant.

John Boyd's (County Judge) certificate is dated 5th January 1876.

Dr. Richardson's certificate is dated 6th. January 1875.

S. C. WOOD.

Adjourned.

Resumed at 2.15 p.m., 14th November.

Captain PRINCE, recalled. I recollect ordering Collins to be put in irons, I also remember visiting his cell the next day and on his expressing contrition for his offence, I had him released from irons. I know that Stedman has been applied to, over and over again, to come and put prisoners in irons, and I have gone to the dark cell when Stedman has been putting prisoners in irons and have seen guards standing outside the cell, and they appeared as though they were afraid to put the prisoners in irons themselves. I have never shown any partiality to guards. I have found prison guards to be like any other men some complaining of petty matters, others satisfied when fairly treated. When one has 13 or 20 guards to deal with, and all are required to submit to the rules of the Prison, it is to be expected that instances will occur when a jealous or suspicious guard will think he is treated more severely than others, and that partiality is shown, but I am not aware of giving any cause. I put in statement marked "W" and wish it to form part of my evidence.

W. S. PRINCE.

(Statement marked "W")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO.

Mr. Stedman has been the support and mainstay of the discipline of the prison. He has devoted himself with energy and earnestness to enforcing my orders, and the rules and regulations; and without his watchfulness and truthfulness in reporting breaches of duty on the part of the officers of the prison, I could not have attained the discipline order and method which exists in the working of the prison to the present time. His thorough zealousness in the discharge of duty, his truthfulness (for I have never found him in a falsehood), his strict temperance, and his unflinching resolve to observe and make others observe the discipline of the prison, have been of the greatest service to the Government, and to myself as Warden. Indeed he is the only officer who has appeared to take the same pride in the prison as I take myself, and to assist me by natural capacities, and strict sense of duty, to make the prison what it is. The improvement of the front grounds is due to him, the laying out of which must have saved the Government much expense, and this has been done by him in addition to his other onerous duties. The church services, Catholic and Protestant, were improved by him in the selection and organizing of an excellent choir. He has succeeded in re-capturing single-handed, four prisoners, who had escaped from the prison; and I can confidently state, that had it not been for his watchfulness in reporting circumstances to me, other prisoners must have escaped. That he has been acting Chief Guard more than eight months, during which period, the prison duties have been conducted with efficiency in every respect, and apparently with complete harmony; that in my daily contact with the prisoners, I have no recollection of one of them having preferred any complaint against Mr. Stedman, and in addition to my visiting the shops, both morning and afternoon, I have been in the habit of visiting the cells in the morning, where each prisoner had an opportunity of making complaints had he desired to do so; and I wish further to state, that not a single guard has ever complained to me of any ill treatment of prisoners by Mr. Stedman.

W. S. PRINCE.

ALFRED ELLIOTT, was Hospital Guard in January 1875, and now in England, states, I was standing by at the time Guard Johns refers to, when Stedman was putting Spackman in irons, and did not see Stedman strike Spackman, neither did I hear the words Guard Johns says Stedman used.

W. S. PRINCE.

DR. WM. J. WAGNER, sworn.—I have acted at different times since the opening of the prison for Dr. Aikins, as medical attendant. I have attended prisoners in the hospital in their cells and in the dark cell. I never heard any prisoner complain of his treatment. Have never seen any act of cruelty on the part of the guards towards the prisoners. When Mr. Stedman was Deputy Chief Guard, I was brought in contact a good deal with him during my visits to the prison. I consider him a strict disciplinarian, but I do not consider him a cruel man. I have never treated any prisoners for wounds received in punishment, except in one case. I forget the name of the prisoner; he had been fighting with another prisoner and one of the guards struck him across the back. I don't remember looking at the wound. I prescribed oil.

W. J. WAGNER.

MR. STEDMAN recalled.—I have served as an executive officer in the Central Prison from its opening with faithfulness, and discharged my duties to the best of my ability

For the last eight months I have been acting as Chief Guard. I deny the charges of cruelty preferred against me, and I assert that they are false and malicious, and that they would never have been instituted had I been indifferent to the welfare of the prison, and had been guilty of neglect of duty in concealing from the Warden derelictions of duty on the part of the guards, instead of reporting them to him. I have ever upheld the discipline of the prison, enforcing the rules and regulations and the Warden's orders, with strictness and impartiality. I would respectfully ask the Commissioner to compare my record of conduct with that of other officials. I beg to state that on the 3rd of July, 1874, Guard O'Brien was seen, when out on duty, drunk at a tavern at 4 o'clock in the afternoon, and stopping a traveller on the public highway, pointed a loaded revolver at him, threatening to shoot him if he did not stop, and repeatedly fired off his revolver—loaded with ball cartridge—along the public streets. Capt. Prince dismissed him from the Central Prison, but he was shortly after reinstalled by the Honourable Mr Fraser, Commissioner of Public Works. He shortly afterwards got drunk and caused disorder and disturbance throughout the north corridor at 12, midnight. On the 14th November, 1874, one of the officers named Michael English, was absent, without leave, from his duties from 9 a.m. till 5 p.m., when he returned to the prison under the influence of liquor, commenced kicking the prison doors, calling out, and creating a disturbance and excitement among the prisoners. He had already been reported three times before. No action was taken in the matter although his conduct and character were represented by the Warden as unfit for a prison official.

RICHARD M. STEDMAN.

J. R. CAMPBELL, recalled by Mr. STEDMAN.—When I came to the prison I was a stranger. I knew none of the Guards. I was told by Gifford on one occasion to look out for Mr. Stedman—that he was a dangerous man, and would undermine me if he could, if I gave him the slightest chance. From conversations I had with other guards I was led to believe they entertained an ill-feeling towards Mr Stedman. I thoroughly believe the ill-feeling, on the part of some of the guards, towards Mr Stedman is the cause of their giving evidence against him. I do not know of any conspiracy against Mr. Stedman, but I believe there is, from what I have seen and heard. Barnes, Gifford, and Hill have spoken bitterly of Stedman. I have never heard Unlaske, Newton, Mansell, Johnston, Dean, Kirkpatrick or Butler speak against Stedman.

JOHN R. CAMPBELL.

W. J. MANSELL, recalled.—I was on duty as night guard the time Lewis was beaten by Mr Stedman. Properly speaking, I was the night patrol guard. There was no corridor guard on duty at night. I reported the shouting of Lewis to Mr. Stedman. I did not say to Mr Stedman that Lewis was breaking up all the furniture in his cell. I did not know until that day that Lewis broke up his furniture. I never saw any broken furniture in his cell. I saw the stone referred to in my evidence, but nothing else in his cell that was broken.

W. J. MANSELL.

Guard BUTLER, recalled by Mr. STEDMAN.—I have been a guard since 6th March, 1876. About two months ago Guard Barnes spoke to me about Dillon's case, and, from what he said, I think he was trying to influence my mind against Stedman. Have heard Guards Barnes, Gifford, Unlaske and Hill speaking unfavourably of Stedman. I cannot recollect the exact language. From what I have heard, I have believed these guards were intriguing with Beaumont against Stedman. I do not speak of my own knowledge, but of what I have heard. Their language to me confirmed it. I never saw Beaumont speaking to these guards. I did see him one evening talking to Cunningham. The subject of their conversation was a letter in the *Irish Canadian* Newspaper. Beaumont said he wrote it. Cunningham said it was not bad. I cannot give the particulars as to what the guards said which led me to believe they were intriguing. I did not hear any of the guards say they hoped Stedman would be dismissed. Some said they thought he would. I overheard Hill say to Gifford and Unlaske, "We would be very comfortable here, if Stedman was away." This was during the investigation. The other day after giving my evidence, Guard Barnes-asked me, had I been giving my evidence, and asked me what I had said in reference to Dillon. I answered "Nothing," as I did not consider he had been ill-treated. He said he would have me brought before the Commissioner again, or suppose me; that I ought to give evidence as to Dillon. The next evening I saw an article in the *Telegram* newspaper, signed "Examiner," and believe Guard Gifford wrote it, or furnished the information to others to write it.

WALTER BUTLER.

Adjourned.

Resumed at 11, a.m., 16th November.

HENRY SOFTLY sworn.—Am Mission Agent of the Prisoners' Aid Association, and in that capacity I have visited the Central Prison since its opening. I visit the prison every Sunday afternoon; I generally remain four hours. I also attend the Sabbath School every other Sunday, along with a staff of forty teachers. We hold religious services every other Sunday, when clergymen of the various denominations officiate. The Catholic clergy have service every Sunday only in the morning. I visit the prisoners in their cells, and converse with them on religious subjects, and give them tracts. Some few of them give me their confidence, and tell me their troubles. I remember prisoner Speakman showing me his back. There were red-coloured marks across his back, but I did not notice that the skin was broken. He told me he had tried to escape. He was apparently a very stubborn, bad man. I could not make any impression on him; can't give dates. I recollect several prisoners, on leaving the prison, telling they had been kicked and beaten by Mr. Stedman, the Deputy Chief Guard. I have heard complaints of this kind within the past eight months, but not within the last two months. Dillon complained to me on leaving, that he had been beaten severely by Stedman, with a stick, but I did not attach much importance to it, as I considered him a bad case. I never heard him swear or pray,—he seemed to be hardened. Finlayson complained of being ill-used by the Chief Guard. Cook did not complain of being ill-used. I don't remember Lewis, O'Shaughnessy, Collins, Hickey, Easy Carson, Jones, Gibbons, Edwards, Hunt, Bowden, Fairchild, Farrell, Thompson, or Perkins. They did not complain to me. I remember Cummins, but he never complained to me. I have heard several prisoners say that very bad language is used by the prisoners, and that they are not punished for it. I never heard any bad language used in the prison myself. I have not communicated to the Inspector, or any of the officers of the prison, the complaints of the prisoners. Had I heard of any glaringly bad case, I should have considered it my duty to report it to the Inspector. Neither the Warden nor the Mayor of Toronto visited Sunday School. I don't recollect inviting them.

HENRY SOFTLY.

Adjourned.

CENTRAL PRISON, Nov 17th, 1876.

J. W. Langmuir, Esq.,
Inspector of Prisons, Toronto.

SIR,—*Ever since* I entered the service of the Central Prison, I have had but one object in view, viz., the discharge of the duties assigned to me, to the best of my ability, without fear or favour. This I can honestly say I have done; but in so doing, I know I have raised up for myself enemies in every quarter, so many that I am afraid my usefulness as an officer of the prison is gone. That I may have committed errors of judgment, and perhaps in a few instances, in my zeal and honest desire to make the Central Prison, what I now consider it is, the Model Prison of the continent, I may have erred sometimes in enforcing too rigid discipline; but only one having knowledge of the prisoners he has to contend with, and the necessity for promptly putting down every sign of insubordination, no matter how trifling, can judge what is best to be done; my conscience tells me that I have done nothing wrong in this way, but everything for the best interest of the prison. I do not wish to say one word against those who have conspired against me, as I feel that time will fully clear my character. Feeling, however, as I do, that by remaining in my position, my enemies in trying to ruin me, will also try to injure the prison, and that by remaining, I would only embarrass the Government, I herewith tender my resignation of my position as acting Chief Guard, and would request to be immediately relieved.

I have the honour to be, Sir,
Your obedient servant,
RICH'D H. STEDMAN.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO,
TORONTO, 21st November, 1876.

SIR,—I regret having to report, that the insubordination of a large number of the prisoners confined in the Central Prison became so general yesterday as to amount to a preconcerted mutiny which, unless it had been promptly dealt with, might have resulted most disastrously to the discipline and government of the prison. For some time back, it would appear that certain evidences of combined insubordination have been apparent, but which became very marked at the prisoners' dinner call yesterday, in the prevalence of a good deal of noise and turbulence. The alleged cause on that occasion was the insufficiency of the rations, which I may remark is the most liberal of any prison in Canada, and fully as liberal as any prison in America, and if compared with the rations allowed to British soldiers will be found to be better in all respects. The average weight of solid food, besides tea and coffee, allowed to each prisoner per day is equal to 55 ounces.

When the prisoners' dinner was finished, they were marched out in gangs to their work, and 56 refused to proceed with their respective employments. The matter was reported to me, and I immediately proceeded to the prison, arriving at 2.30 p.m., I at once ordered all the prisoners to be formed into line in three gangs, the guards being present with loaded rifles and pistols.

I informed the prisoners that the rules of the prison would be rigidly enforced, both in respect to labour and discipline, that insubordination in any and every shape would be instantly put down with a firm hand. I pointed out the liberal nature of the dietary, showing that [illegible] reasonable ground for complaint existed. I asked all the prisoners who were instantly prepared to go to work to remain in line, and those that were not, to step to the front. Four stepped to the front, and although further explanation was made to these four men, they persisted in their insubordination, when I ordered that fifteen lashes should be given to each on their bare backs, in presence of all the prisoners. On enquiry I found that one of the four prisoners was mentally weak, and therefore not entirely responsible for his acts, and who was therefore not punished. The other three were handcuffed or [illegible], the prisoners were again formed in line around the prison square, when the punishment ordered was proceeded with. I trust and believe that the object of the punishment has been fully accomplished, and that insubordination of this combined nature will be stopped.

I have also ordered that the use of the associated dining room shall be abolished, and that the dinners as is the case with the breakfasts and suppers, will be served to each prisoner in his cell. This, I trust, will reduce the means of communication with each other and prevent combined action, which undoubtedly had been arranged yesterday.

I have the honour to be,
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

The Honourable,
The Provincial Secretary.

SCHEDULE OF LETTERS AND REPORTS RELATING TO THE INTERNAL MANAGEMENT OF THE CENTRAL PRISON TORONTO.

1875.

March 31.—Letter from the Provincial Treasurer to the Inspector of Asylums, Prisons, &c. enclosing a Memo. on the latter's Report on an inquiry held in the Central Prison.
Feby 17.—Report of the Inspector of Asylums, Prisons, &c., of his investigation, including minutes of evidence taken 10th February 1875.
" 19.—Report of the Inspector on the escape of two prisoners, & the minutes of investigation.
June 11.—Report of the Inspector of Asylums, Prisons &c., on the escape of a prisoner from the Central Prison, on the 14th May 1875.
" 17.—Letter from Assistant Secretary Eckart to the Inspector of Asylums, Prisons, &c.
" 18.—Report of the Inspector of Asylums, Prisons, &c., on the escape of two prisoners on the 31st May 1875.
July 7.—Letter from Assistant-Secretary Eckart to the Inspector of Asylums, Prisons, &c

1876.

Nov 11.—Report of the Provincial Secretary to the Executive Council, submitting the evidence taken at the investigation into the internal management of the Central Prison
Aug. 7.—Letter from the Inspector of Asylums, Prisons, &c. to the Provincial Secretary Index to the Investigation
Oct 31.—Minutes of evidence relating to the general management of the Central Prison.
Nov 17.—Letter of resignation of Acting Chief Guard Richard H. Stedman.
" 21.—Report of the Inspector of Prisons, Asylums &c. on the suppression of a mutiny in the Central Prison
Dec 28.—Memo. by the Provincial Secretary on his investigation of charges made by the Warden of the Central Prison against Chief Guard Beaumont.

1877

Sept. 15.—Letter from the Warden to the Inspector of Asylums, Prisons, &c. enclosing a letter dated 6th September from Guard Wall, complaining of the conduct of Chief Guard Beaumont.
Sept. 20.—Minutes of investigation of certain charges by Patrick Wall against Chief Guard Beaumont.
" 21.—Letter from Chief Guard Beaumont to the Inspector of Asylums, Prisons, &c.
Feby 20.—Letter from the Warden to the Inspector of Asylums, Prisons, &c.
March 1.—Letter from the Inspector to the Provincial Secretary.
5.—Letter from the Inspector to the Warden of the Central Prison.
9.—Letter from Chief Guard Beaumont to the Provincial Secretary
17.—Letter from the Inspector to Chief Guard Beaumont.
22.—Letter from Chief Guard Beaumont to the Provincial Secretary enclosing copy of a letter from him to the Inspector.
25.—Letter from the Inspector to ex-Chief Guard Beaumont.
29.—Letter from the Inspector to the Warden of the Central Prison.
30.—Letter from the Provincial Secretary to ex-Chief Guard Beaumont.
30.—Letter from the Warden to the Inspector of Prisons, &c.
April 19.—Rules and Regulations Central Prison.
30.—Letter from the Inspector to the Provincial Secretary enclosing letter dated 21st April, from the Warden to him.
May 8.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
" 10.—Letter from Assistant-Secretary Eckart to ex-Chief Guard Beaumont.
13.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
16.—Letter from Assistant-Secretary Eckart to ex-Chief Guard Beaumont.
June 7.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

1874.

July 8.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary.
Oct. 5.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary.
Index to the Investigation into the charges against James Beaumont, late Chief Guard.
Minutes of evidence taken during said investigation.

1875.

Letters referred to in foregoing evidence.

Nov 5.—Letter from A. McMenemy, Hamilton, to the Warden of the Central Prison.
" 7.—Declaration of John Henery, late Chief of Police, Hamilton.
" 9.—Declaration of J. B. Beaumont, of Hamilton.
April 10.—Letter from the Inspector to the Warden of the Central Prison.

Treasury Department, Toronto, 30th March, 1875.

Sir,—I beg to enclose Memo. containing my observations upon your report of the 17th February last, relating to the enquiry held by you under my instructions of 4th idem, relating to certain alleged antagonisms between certain officials in the Central Prison. A copy of my Memo. will be communicated by you to the Warden, and by him read to the guards and other officials of the prison.

I am,
Your obedient servant,
Adam Crooks,
Treasurer.

J. W. Langmuir, Esquire,
Inspector of Asylums, &c., Toronto.

Memorandum on the report of Mr. Inspector Langmuir, dated 17th February last, relating to the Central Prison.

The undersigned has considered the report and the evidence taken under the inquiry directed by the instructions of the undersigned dated the 4th February last, and

Firstly.—He approves of the discipline of the prison being strictly maintained, and that the steward and cook must comply with such regulations as may be in force with respect to them, as well as the other officers and guards in the prison.

Secondly.—That it is desirable that the suggestion of the Inspector for separate duties of store-keeper and steward be adopted in future, and that in by-laws such distinction be adopted.

Thirdly.—Deputy Chief Guard Stedman is liable to censure for the expressions which were undoubtedly used by him in regard to Roman Catholic officials, and any indication in the future, of such feelings being harboured by him, will involve his dismissal.

Fourthly.—It is to be regretted that the evidence shows that liquors have been introduced on several occasions into the prison, and that the officers whose duty it was to have reported the circumstances to the Warden omitted to do so. It is equally to be regretted that Chief Guard Beaumont and other guards have been in the habit of frequenting public houses or taverns in the neighbourhood of the prison. The regulation with respect to the use of stimulants must at once be strictly enforced, and the Warden, Officers and Guards will be each held responsible for the observance of it, inasmuch as the discipline of the prison depends entirely upon the strict observance of sobriety on the part of all the officials.

Fifthly.—The evidence shows beyond reasonable doubt that Guard Bland violated, on two occasions, at least, this essential, and the Inspector would have been justified in his immediate dismissal after the inquiry. I must direct that this should be done forthwith, and with the usual form.

Lastly.—Any wilful disobedience of the rules or neglect of duty will be visited in the like manner when any such case is made to appear.

Adam Crooks,
Treasurer.

Treasury Department,
Toronto, 30th March, 1875.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO,
Toronto, February 17th, 1875.

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that in obedience with instructions contained in your letter of the 4th instant, I held an investigation into the causes of antagonism that exists between certain officials of the Central Prison of Ontario, and the effect of such antagonism upon the discipline and management of the prison; and I herewith transmit the evidence taken under oath in connection therewith.

It appears that the want of harmony is confined to five officials of the prison, viz.: Daniel McCarthy, Steward and Store-keeper, and Michael English, Cook and Baker, on the one hand, and the Warden, Chief Guard James Beaumont, and the Deputy Chief, Richard Stedman, on the other.

The causes of disagreement, as stated by the steward and cook are:—

1st. The too rigid enforcement of prison rules and discipline by the officers named, amounting to persecution against the steward and cook, and a disposition to force them out of the prison service; also to the constant reporting by Beaumont and Stedman of alleged offences, and breach of discipline which the steward and cook think are not worthy of notice, or all too frivolous to require reporting.

2nd. That the Steward should be required to conform to prison discipline, as a guard, and that he is deprived of privileges that he should have.

3rd. To bad feeling and enmity against the Catholic officers and guards, evinced by the conduct and statements of Deputy Chief Stedman.

On the other hand it is alleged in the evidence of the Warden, and the Chief and Deputy Chief Guards, that the steward and cook constantly ignore important prison rules, and disobey the Warden's orders, thereby injuring the discipline of the prison, both in relation to the officials, the prisoners and the prison management. They further allege that although the cook and steward have time and again been reported for such offences against discipline and the rules of the prison, they persistently continue in such courses.

Such being the causes of the antagonism existing between the officials named, I propose to deal with them in the order in which they are placed.

1st. The evidence proves that the discipline of the prison, in relation to the duties and conduct of officials is generally strict, but for a new prison undergoing organization, I do not think that it has been or is unnecessarily or even unduly rigid; the opposite course I am convinced, while it might have obviated some unpleasantness, would have been most disastrous to the best interests of the prison. This rigid but wholesome discipline, as far as I can discover, has been applied to all the prison officials alike, with this result, viz:—that the guards, some of whom chafed at first under it, have accepted the position, and now, without exception, perform the duties required of them, not only willingly and cheerfully, but with an intelligent appreciation of the necessity of strict discipline. The steward and cook, on the other hand it would appear have kept up a continual protest, sometimes active and sometimes passive, against certain rules and orders, and not unfrequently they have ignored the one and disobeyed the other. Some of the offences and breaches with which they have been charged are trifling, and others flagrant, but their course generally has been one of antagonism to discipline. For instance, an order is made, prohibiting smoking before or with prisoners, while on duty; the order is disobeyed, openly and defiantly. It is ordered that prisoners while at work must not be left alone, but this rule is persistently disobeyed by the cook, and frequently by the steward; that all officers and guards must attend evening count, and remain until all the prisoners are accounted for, is completely ignored, both by the steward and cook; the order that they must be present along with other officers and guards when the orders for the day are read, they persistently refuse to obey; that they must not use familiarity with prisoners is so much abused, that when prisoners are removed from the kitchen to other gangs, they are found unmanageable; that all officials are to be in the prison at certain hours is frequently violated.

These, and other breaches on the part of the steward and cook, have been so frequently reported, that the officers charged with that duty now leave the offences unreported.

I have examined the orders referred to, and the circumstances that seemed to call for their promulgation, and cannot see in them, or the means taken to carry them out, any evidence of a desire on the part of the Warden or his subordinates to domineer over the steward and cook, or to annoy them or even to put them to unnecessary inconvenience. The fact appears to be that both the steward and the cook are imbued with the idea that strict discipline means tyranny, and that the officers charged with the duty of enforcing it are their enemies.

The guards of the prison being composed of soldiers, accept the position, the steward and cook being civilians protest against it.

2nd. With regard to the complaint of the steward that he has been deprived of privileges, and also that he is required to conform to certain rules which he believes should only apply to prison guards, the evidence shows that Mr. McCarthy only comes under the rules referred to in his capacity of steward, having prisoners in his charge. In the performance of his duties as storekeeper, he has been to all intents his own master. It is very clear that if prisoners are placed under the charge of the steward or cook or any officer of the prison, they must be held responsible for them; as prison guards they must account for such prisoners every evening, and see that they observe the rules and regulations of the prison. In these respects, but in no other, have the steward and cook been looked upon as *prison guards*.

It is quite possible that if By-laws had been framed at the opening of the prison regulating and defining the duties of every officer and employee, many of these troubles might have been obviated; but until observation and experience revealed the requirements of the prison in these respects, it was not considered desirable to frame By-laws that might have to be amended, when, after such observation, they were found defective and unworkable. Sufficient experience, however, has now been obtained of the working of the prison to enable such By-laws to be enacted as will clearly define the duties of all officials, and leave no doubt as to the privileges they are possessed of, or the nature of the duties required of them.

3rd. The evidence in support of the statement that Deputy Chief Guard Stedman harbours evil feeling and enmity against the Roman Catholic officers and guards, is confined to two witnesses, viz: Chief Guard Beaumont and Guard Gifford. The statement made by Stedman to Beaumont, and which the former admits to be correct is, I think, so explained by Stedman upon oath, as to show that at least no animus or ill-feeling existed in his mind on that occasion against the Roman Catholic employees of the Prison.

Guard Gifford's statement that Stedman had invited him to join with him and one or two others, in order to get the Catholic employees out of the Prison, is pronounced false by Stedman; but as it is in evidence that Gifford told others of the conversation a short time after it took place, I am inclined to think that such an approach was made by Stedman to Gifford. For the particulars, I refer you to the evidence of both the parties. No evidence was given to prove that this feeling extended beyond the limits referred to, and it would appear that the Warden warned the chief officers to be very guarded in this respect.

These, therefore, are the sources of the antagonism that exists between the officers named, and the results of such antagonism upon the management and discipline of the prison. In addition to the want of harmony between certain officers of the prison, it also came out in evidence and, in my opinion, was clearly proven that liquor had been introduced into the guard room and guards' dormitory and there drunk by certain employees of the prison. This seems to have been brought to the notice of the Warden only on one occasion, although it is evident that it was of frequent occurrence; but on the occasion referred to a very stringent order was read to the employees of the prison warning them that such an offence would meet with instant dismissal. The following rule was also promulgated, viz.:—

Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating liquors in or about the prison. Intoxication will insure instant dismissal.

Notwithstanding the order and rule referred to, it was proven clearly that liquor

has since been brought into the prison; although this offence did not come to the knowledge of the Warden or his two Chief Guards.

It also came out in evidence that Chief Guard Beaumont, on more than one occasion, was present with some of the guards and employees when drinking was going on in the evening, at a tavern close to the Prison.

In order to remedy the results of the antagonism referred to, and the other defects in the prison discipline, I would most respectfully recommend :—

1st. That by-laws be prepared and enacted for the good government of the prison, defining the duties of every officer and employee, and the relations they must sustain to each other.

2nd. That the cook and baker shall be looked upon as a prison guard, and shall be subject to all the rules enacted for the guidance and instruction of guards.

3rd. That only the Warden, the Chief Guard, the Deputy Chief, and the ordinary guards, shall board and lodge in the prison.

4th. That the duties of steward and storekeeper shall not be performed by one and the same person. Mr. McCarthy continuing in the duty of storekeeper and in addition shall assist the bursar in keeping the books, &c., the duties now performed by the steward shall devolve upon the Chief or Deputy Chief Guard, as the Warden shall direct.

5th. That a separate office from the Warden be assigned to the bursar and the storekeeper.

In the way above indicated, I think that the chief sources of antagonism will be remedied, the discipline of the prison rendered more effective, and its means of good government generally improved.

I have the honour to be,
Sir,
Your obedient servant,
J. W. Langmuir,
Inspector.

Evidence taken at an Inquiry, held by the undersigned, Inspector of Prisons, &c., for Ontario, into the conduct of certain officials and guards of the Central Prison of Ontario, on the 10th Feb. 1875.

Daniel McCarthy, Steward and Storekeeper of the Central Prison, being sworn, deposed as follows:—I have been informed that whiskey was brought into the guard room by Guard Ballard; my informant was English, the cook of the prison. Of my own knowledge, I was not aware that whiskey or intoxicating liquors were ever placed or brought into the prison by any officer or guard, and I have never seen it there. I was informed by James O'Brien, on Monday [illegible] February [illegible] the morning, that he (O'Brien) had been in the habit of drinking liquor on the prison premises with Chief Guard Beaumont; he said he drank liquor with Beaumont, both in the guard room and the tower. The bailiff [illegible] English, also told me that he has seen liquor on the prison premises, and being drunk by officers of the prison. I have drunk liquor with Beaumont, at Higgins' tavern, about seven o'clock in the evening, about two months ago. On that occasion Mr. Stedman was away from duty, and I believe Beaumont was on duty. I have known Guards Ballard and Doherty to drink in Higgins' tavern with Beaumont; they were on the same occasion and drank with him. The bailiff [illegible] was present on that occasion. I do not know but what all the guards had passes to go out, as I know all guards on such occasions come at 9.30 p.m.

English, the bailiff, told me that on the night the Warden came home from his leave of absence, on the 6th November, when he was delivering prisoners from the west, that he (English), said to a guard who was present, that the Captain must be home, for there was a [illegible] on the door step; but on looking, English said he found that it was Guard Ballard lying drunk on the steps. English stated that Ballard was then admitted, it being then about eleven, by the night corridor guard. I have known oyster suppers to take place in the guard room. On one occasion Mr. Stedman and Guards Ballard, Bollard, Doherty and I think Gosney, were at the oyster supper; it was about a month ago; I was not present; I went to bed. I know of nothing more in respect to the introduction of liquor into the prison premises.

On the first Sunday that Roman Catholic service was performed in the chapel Father Rooney was officiating. It was necessary for the Catholics to kneel down at prayers. Father Rooney, observing that the prisoners were standing up, said, "how is this?" Deputy Stedman said, that is the order, sir. The clergyman demanded to see the Warden immediately. He was told by Mr Stedman that the prisoners might kneel down on that occasion. On the Sunday following, that is the one succeeding it, Deputy Stedman kept his hat on while close to the altar during; he kept his hat on until after the Gospels were read; he then took it off. I think he observed that we were speaking about it, on the appointment of Somers to a guardship during the Warden's absence. I attended service in the chapel on Sunday during church. I observed Guard Somers kneeling down, and when church was over, Mr Beaumont told me that Mr Stedman came running to him to say that Somers was a Roman Catholic, and that if the Captain had been here he would not have sworn him in. The bailiff, Mr English, told me that Deputy Stedman called Guard Gifford out of the guard room one Sunday directly after the prison was opened, to ask him to help him to clear the Papists out of the prison; Guard Gifford said he could not do so, as he was married to a Catholic woman. I have not heard any such expressions or feelings against Catholics mentioned by anyone in the service of the prison but Mr Stedman. Mr Beaumont has told me that such feelings existed in Stedman's mind. I do not think Beaumont has such feelings. I am sure that the Warden has no such feelings but I thought it strange that Stedman should be allowed to use such language. I think the Warden must have known something about it, because he heard the Warden use the expression that Beaumont and Stedman were to hound the Baker, English and myself down like dogs. Respecting the key trouble, I had a key which opened the guard-room door, the kitchen door, and I think all intermediate frame doors. Being in a hurry one evening I opened the guard-room door with this key; the next day I found that the Warden had [illegible] on the door. I asked him why the lock was [illegible], as there seemed to be no use for it as far as preventing prisoners from escaping; the Warden said that there was no fear of those prisoners escaping, but I think that the key and lock was changed only to bother me.

I was aware that there was a regulation that no officer or guard was to be admitted through that door except they rapped; but I did it for dispatch.

The two prisoners who are in charge of myself and the cook require to be constantly under my notice, although their offences are slight; whereas the prisoners in the guard-room are in for longer periods, and do not require to be watched, showing that we (that is English and myself) were to be trapped.

The Warden also objected to my taking butter from the north store-room door through the front grounds, into the large north entrance gate, and it was ordered to be taken through the corridor to the bake-house, and after that the order was changed, to take it through the kitchen, involving going up, down one pair of stairs and up another; it was found that that would not be done. It is now taken through the receiving lobby and receiving room, then through the dining hall into the prison yard. I believe this [illegible] to give me a lot of trouble.

During last summer, I think in August, I allowed two friends of mine who had passes, signed by some person I don't know who, to enter the prison by the store-room door. I did this in ignorance of any regulation against such an act, and I thought my standing that sufficient confidence would be had in me to know that I would not admit any improper person.

But on taking my friends into one of the shops, Lyons, the gatekeeper, at the instigation of Stedman I think, came up and ordered my friends out. I at once took them out.

For this I was brought before the Warden and severely reprimanded, and was told that I must not admit any body by that door; an order was to be placed in the order book, to some such effect.

On another occasion I was reported for admitting strangers through the store-room door in the face of that order; the fact was, two men came to me with a desire to look at the prison kitchen range, and I admitted them, thinking that an exception would be made in such an instance; but I was immediately reported, and Beaumont said, "You are reported again," as if all they wanted to do was to report frequently against me.

I complain that I have no privileges whatever, and that I am hardly dealt with, and although the order had reference, I suppose, to all officers, still Mr. [illegible] was allowed by the Warden to take friends into the prison, the Warden I am informed, remarking that the order only referred to the Steward and Cook.

D. McCARTHY,
Steward [illegible]

JOHN ENGLISH, Bailiff of the Central Prison, being sworn, deposed as follows. I remember the night on which the Warden returned from his leave of absence in November. I came down as far as Hamilton with him from Windsor and stopped off at Hamilton to get more prisoners. I arrived at the prison at 11.30, p.m. Guard Doherty met me at the train and came up to the prison with me. When we came to the steps of the south entrance I saw what I thought to be the Warden's dog, but what turned out to be Guard Ballard lying on the steps, apparently quite helpless from drink. We lifted him up and rang the bell, when the corridor guard answered the bell. He admitted Ballard; he must have seen that he was drunk as he staggered very much. I kept behind him (Ballard) in going up stairs to prevent him from falling. I did not see Deputy Chief Stedman that night at all and I don't think that Stedman saw Ballard in the condition in which he was. I never heard that the night corridor guard reported the case of Ballard's drunkenness. He should not have been admitted, coming after 11 p.m. I came home to the Prison one night about a month ago, and on coming to the door of my room I found the door locked. On getting in I saw guards O'Brien, Ballard and Somers in the room. They were drinking out of a bottle what I took to be whiskey. I could smell it. I think there were other guards present, but I cannot tell. Stedman at the time was in his room. He knew that the persons named were in my room, but I am pretty certain that he did not know that they had liquor. I never was present when liquor was drunk at any time that Chief Beaumont or Deputy Chief Stedman had any knowledge that such was the case. I have known Mr. Beaumont to drink with guards outside the prison in Higgins's tavern between the hours of 6.30 a.m. up till 7.30 p.m. I have seen them drink with Ballard, O'Brien, Doherty, Lyons and Cassidy. One night that the Deputy Chief was absent and Mr. Beaumont on duty I was asked by the Warden to get Mr. Beaumont. I told the guard to go to Higgins's tavern and he would find him. At last the guard and Beaumont came in together. I suppose he found him at Higgins's tavern. I have known guards to be drunk on the premises quite frequently. I have heard boisterous talking and other evidence of drunkenness. Mr. Stedman must have heard also, as he is quite as near as I am. Liquor I think has no effect upon Mr. Beaumont. I remarked to him on the night on which I sent the guard for him at the request of the Warden, that he would soon be caught; he (Beaumont) said that liquor had no more effect upon him than a blister on a wooden leg. I never saw any sign of liquor on Mr. Stedman. On one occasion I saw Ballard take a bottle to Lyons' bed and give him what I thought was liquor as Lyons became noisy as well as others; this only happened about a fortnight ago. Mr. Beaumont told me that Stedman had spoken of the appointment of Somers, who is a Roman Catholic, as something that should have been prevented; as far as I know no feelings against Catholics have been shown by any one but Stedman, and that is only hearsay.

JOHN ENGLISH,
Bailiff Central Prison.

SAMUEL GRACEY, guard, being sworn, deposed as follows.—I have seen liquor in the guard-room of the prison. I cannot say who brought it in. The last time I saw liquor there was two weeks ago. Neither Chief Guard Beaumont or Deputy Stedman were present when liquor was being drunk. I never knew that liquor was taken to the tower by guards on duty. Guard O'Brien was the only guard that I ever saw positively drunk. I have seen others who had liquor in them. I don't drink liquor; don't know the taste of it.

SAMUEL GRACEY,
Guard.

WILLIAM DEMPSEY, Guard, being sworn, deposed as follows.—I came to the Prison on the night of 6th November with the Bailiff. I had been detailed to go down to the station.

We arrived at the prison about 11 p.m. I saw Bollard standing on the south entrance steps; he seemed to be as usual. He did not appear to be drunk. He was standing. He walked up to the guard-room all alone. I went with the Bailiff and the prisoners and locked them up. I think it was O'Brien who was acting that night as corridor guard. When we locked up the prisoners, the Bailiff and I went up to the guard-room and I went to bed. When I went into the guard-room Bollard was in bed. I did not see Mr Stedman from the time we came in with the prisoners until I went to bed. I heard no remarks made by the bailiff or by the corridor guard who let us in as to Bollard's condition.

I swear that I never drank liquor in the guard-room. On one occasion I took liquor in the Gas Company's office. Mr Brown gave it to me. I was unwell. That must have been two or three months ago. I have been in Higgins' tavern with Mr Beaumont. I drank with him on two occasions, once in Higgins' and another time at the Marlborough House. We were both off duty. I was at an oyster supper at Higgins' about a month ago. Beaumont was present.

Wm. Delaney,
Prison Guard.

MICHAEL HEGARTY, Cook and Baker, being sworn, deposed as follows: "I informed the Steward, Mr McCarthy, that I had seen whiskey or liquor being drunk by officials of the prison on the prison premises on or about Christmas. I saw Guard Bollard, Somers, and Guard O'Brien drinking in the steward's room at 8.30 p.m. The steward and bailiff were not there at the commencement, but the bailiff came in about 9 p.m. I went into the room in order to sleep in the steward's bed that night. I was in the room when the three guards named came into the room. Bollard went out for the whiskey about 8 p.m. and came into the room with one bottle first; after that, another bottle was brought in by Bollard from the tavern. Doherty came into the room while the drinking was going on and also drank some. I drank some also. The bailiff drank none. The door was locked. I saw Mr Stedman before the door was locked; he did not come into the room. There was some noisy talking. I have on two occasions seen liquor being drunk in the guard's bed-room; it may have been two months ago. I don't know who brought in the whiskey on those occasions; it was brought from the cupboard, where the guard keep their clothes. Lyons, Doherty and O'Brien drank on those occasions. I did once. I don't know who brought the liquor into the room. It was drunk when we were going to bed. I have drank on three occasions with Chief Guard Beaumont in Higgins' tavern and Chambers' Tavern. On the two occasions on which I drank with him in Higgins' tavern, he (Beaumont) was on duty as Mr Stedman was away from the prison. After having drank with him, Beaumont returned to the prison; it would be about half-past eight. I never drank with any other officer of the prison. I think it was in the fall that I last drank with Mr Beaumont at the tavern. I never saw McCarthy drink liquor on the prison premises or off. I have six prisoners under me in the kitchen and two in the bake-house. The Warden told me that these prisoners were under my orders. I was first reported for smoking, and on being brought before the Warden was reprimanded. That was about six weeks or two months after the prison was opened. I was in the front lower story. Stedman saw me. Since that time I was reported for smoking on a Sunday morning in the prison yard on my way from the water-closet, and one morning last week I was reported for smoking in the Steward's room. These are the only times that I have been reported for smoking, but I have often smoked on other places; the last time the Steward and Bailiff were smoking also, but I believe they were not reported. I have also been reported for being asleep on duty. I was sitting in the kitchen with my newspaper in my hand. I saw Mr Stedman before he was half way across the kitchen. I have also had prisoners taken away from me when I wanted them very much; they were kept an hour at dinner when a quarter of an hour would have done; that was when the Warden was away on leave of absence. I was obstructed in taking the flour out from the store in the quickest way; on one occasion one of the prisoners was caught smoking in the bake-house, and he was put 36 hours in the dark cell, although I wanted him very much. I was not aware at first that I was not permitted to smoke. I have asked the Warden to get off on Sunday from 4 p.m. to 7 p.m. I have been granted that permission, but sometimes it has been refused. On one night about three months ago, it was then the 4th of November, I came to the prison at 11 p.m. I found the door locked; I tapped at the north corridor window; I saw Guard O'Brien, and thought he would have gone to the Deputy to ask to allow me to be admitted; he did not come to the window again for about an hour, but I did not hear what he said. I then came around to the south entrance, and tapped at the window of the receiving room; no one came. I then walked up and down until 6 a.m., then I rang the bell of the large gate when the Watchman Hardy let me in. I should have been in the prison at 9.30 p.m. on that occasion, but I was detained with some business; about two weeks ago, I came about 9.37 p.m., and could not get in, and went and slept at a house on Queen Street. I have not heard of any guard being let in after 9.30 p.m., unless he had a pass, unless I heard that Bollard on one occasion did get in. On the Sunday of the 28th of October I obtained leave of absence to leave for the whole day, that is I left on Saturday night and returned on Monday morning; the Steward looked after the cooking; I did not think that it was necessary to obtain leave from the Warden. I have since learned that it was necessary to obtain the Warden's leave of absence. I consider the rule one-sided. Rule No. 4 is not carried out; I cannot give an instance; I have no means of knowing; I have seen work done in the shoe-shop by prisoners for Mr. Stedman and Mr. Beaumont, and if I got anything I would at once be reported. I have not known that anything has been done for any officer or guard since the order issued on November 15th, that only Government work was to be done. I think both Mr. Beaumont and Mr. Stedman domineered over me; I know my business, they never found fault with my cooking or baking, but they interfered with my work. I have never heard the Warden or Mr. Stedman or Mr. Beaumont speak against Catholic employés, but it was the constant picking that made me believe they wanted to get rid of me.

MICHAEL ENGLISH,
Cook and Baker.

RICHARD BOLLARD, Guard, being sworn, deposed as follows:—I have never brought whiskey into the guard-room of the prison; I was present one night in the steward's bed-room when the Steward was absent, along with English, the cook, and Guards Somers and O'Brien; the Bailiff did not come in until the drinking was over. I think Doherty drank there one night with O'Brien. I remember the night on which the Warden returned from his leave of absence. I did not get to the door that night at 9.30 p.m., but I knew the Bailiff would be up with the prisoners at about 11 p.m. I waited till he came, when I was let in. I went upstairs myself; when the Bailiff and Doherty came up to the door I heard the Bailiff say "the Warden must be home, because there was his dog." I suppose meaning me. I was sitting down until I heard them coming, when I went out from the steps and stood up. I have drank with Mr. Beaumont in Higgins' tavern in the evening, after the prison had closed; the one time was about a week ago.

RICHARD BOLLARD,
Guard.

WILLIAM GIFFORD, Guard, being sworn, deposed as follows:—I am a married guard; on one day of the week I sleep in the guard-room two nights in the week, and the week succeeding three nights in the week. I have never drank liquor on the prison premises, nor have I seen any drunk. About three or four months ago I was in the Bailiff's bedroom when Mr. Stedman came and knocked at the door and told me he wanted to see me down in the Warden's Office. I came down with him; he said he had asked me down as he wanted me and one or two more to join in with him in trying to get the Catholics out of this. I at once said he had got the wrong man this time, my wife is a Catholic. I stood and looked at him for a few minutes and turned and walked away to the guard-room; he followed me, but he has never spoken to me since on this subject. I told this about a month afterwards to Guard Doherty, also to the Bailiff and in the guard-room, when several were present. I have never heard any such expressions used by any other officer of the prison. I have not seen anything that would lead me to believe that Catholics were to be got rid of, but the statement made to myself by Stedman. I know of no cases of favouritism being shown to any guard or employee of the prison.

WILLIAM GIFFORD,
Guard.

JAMES [illegible], Chief Guard, being sworn, deposed as follows:—I came into the prison in the morning at 6.30 a.m. since the Canada Car Works have been shut down; while they were in operation, at 5.30. My house is on Wellington Avenue. I parade guards at 5.45 a.m., when the Canada Car Works were in operation, but now at 6.45 a.m., and dispatch the guards to their respective duties. I supervise the issue of breakfast to all the prisoners throughout the prison; see that it is properly and promptly served. I then post the corridor patrols, and then the guards go to breakfast, and I go with them. The prisoners are then marched out with the night buckets, and then marched back, and placed in column, when the gangs are distributed for the work of the day, whether for shop or domestic duty. When the guards report the gangs complete and correct, I then give each gang the order to march off. I then visit the various gangs, and see that they are all properly at work. I then come to the office, and go on with my writing; see that the men for discharge are got ready, when they are marched in to be seen by the Warden. I then receive the instructions of the day from the Warden, and go and see that they are carried out. The time up to dinner is taken up with supervising the affairs of the prison generally. At dinner time, the gangs are mustered and numbers reported to me, which I check, which I report to the Warden; after that prisoners' dinner, which takes up from about 12.5 to 12.40 p.m.; half of that time, one-half the guards are on duty while the other half are at dinner. The gangs are then marched off at 12.45 to their respective shops, or works, each guard numbering his gang and reporting to me if correct, or otherwise, before moving off. In the afternoon, I visit the shops. Am present at visits to prisoners. Show visitors round. Do office work and general work up to supper time, when the prisoners are marched in. I superintend the issue of supper. See that all the prisoners are all marched up to their respective galleries. See that the guards are all in their proper places; give the signal for cell doors to close; parade guards and take the count; report to Warden and dismiss the guards; post the night patrol, and then go to my supper. If Mr. Stedman has leave of absence to stay out at night I sleep on the premises. If I see any dereliction of duty on the part of any guard or employee of the prison, or any infraction of the rules, I use my discretion as to whether it is sufficiently serious to bring under the Warden's notice, or whether it should at once be settled; but if I settle the matter I caution the parties that a repetition of the offence will be reported to the Warden; the number of cases that I settle are about as many as the number of cases that I report. The Deputy-Chief, Mr. Stedman, reports to me, and if his reports are of such a nature as I can settle, the report is not carried to the Warden, unless the Deputy desires it. I have frequently had occasion to report the conduct of the Steward to the Warden. I think that the first report I made against him was that he would not attend evening parade to hear the Warden's orders read; the orders are read every night. At first the Steward attended at evening parade, but about six weeks after the opening he neglected to attend. An order was then placed upon the order book requiring the attendance of all guards and every prison officer on the 29th June. The Steward did not heed this, when an order issued on the 7th July, only requiring the attendance of the Steward at the reading of orders when an order was to be read affecting that officer's duties; after that order was made on the 7th July, another order was made in respect to the duty of the Steward. I notified him of it, but he did not attend. I again reported him to the Warden. The Steward has not attended at the reading of orders since before the 29th June, although frequently orders have been made in respect to his duties. Since that, I have taken the book to him and read the order affecting him, although an order was made rendering the Steward liable for the care of the prisoners in the kitchen and bake-house gang. I have noticed very frequently that the Steward ignores all rules in the manner of dealing with and speaking to prisoners; he generally calls them by their Christian names—"my boys," or "Mr. [illegible]," and (instead of giving a direct order he asks if they will be good enough to do so and so. The Cook, English), follows the same course, which does away with all discipline, and is most observable in the conduct of prisoners removed from the kitchen and bake-house to other gangs. Both Steward and Cook smoke before prisoners. I have reported both of them for this, and the Deputy was reported to me for the same offence.

The Steward has stated to me that he would not obey the Warden's orders. Only last week I told him that he must give up at night, the key of the outside door of the

storehouse, he dashed it down on the floor and used the language stated in my evidence before the Warden, and which I now swear is true and correct.

(Statement referred to.)

JAMES BRADBURY, Chief Guard, Central Prison, states as follows:—I am the Chief Guard, Central Prison; my duty is to take over all of the outer doors Central Building, at "evening count," in accordance to orders. On the evening of the 1st of February instant, finding a key deficient, which should have been handed over to me by the steward, I proceeded to the store, and asked the steward for it. The steward became very violent,—jumped up from his seat, and dashed the key upon the floor saying, "There is the d——d d——d key; it has been an eye-sore to *Prince*, yourself and Mr Stedman ever since I have been here, and if I am to be reported I'll make statements true or false, and swear to them, and get others to swear to them, which will make it hot for you and other d——d Englishmen in the Institution for neither *Prince*, you nor Stedman shall make me subject to your d——d army discipline." The steward cursed every one in the prison and snapping his fingers in my face, addressed me, saying "Do you call yourself a man, a thing, or an ape?" Finding it was impossible to reason with him, I left the store. This took place in presence of a prisoner and the cook; the latter stood by laughing.

JAMES BRADBURY,
Chief Guard.

A short time before the last occurrence happened, the guards complained of the bad quality of the coffee. I sent to the kitchen for more tea, when I received a message that we must make up our minds to have either all tea or all coffee. I then went to the cook, and asked him if he had sent that message, he acknowledged in a very sulky manner that he did. When the Steward came into the prison that morning about 10 a.m., I asked him where he had been; he said he had been in the city in connection with the stores. I called the cook up before the Steward and related the circumstances about the tea, and impressed upon them that I would not allow such a message to be sent to me; that it was the Warden's orders that both tea and coffee were to be served and that it must be properly cooked. The Steward said the cook was wrong, and promised that a repetition of it should not again take place. Except this I am not aware of any cause for the irritation and anger shown by the Steward on the occasion of my asking this key. He had sent in one key at the proper time, and as I had occasion to go into the store-room to order some tallow, I merely reminded him of the other, when he broke out as stated. I had not spoken of the Guard Mansell leaving the Steward in at the time I went to get the tallow, and to remind him about the other key. But when he spoke of Mansell having reported him to me, I merely reminded him that I was acting as a medium between the prison officers and the Warden.

I had previously reported to the Inspector that the Steward had let persons into the prison through the store-room door contrary to the regulations. Before reporting him that he was violating the rules, and that I would have to report him, he said, "report it, and do your best, I don't care."

From all I can see the steward and the cook are getting more defiant of the Prison rules. I have over and over again reasoned with them, thinking they would come under the discipline the same as the other guards. They both said that they would not be classed as guards.

During the Warden's leave of absence, on the first Sunday that Somers was on duty Mr Stedman came up to me and said "Why Somers is a Catholic." I said "what matter if he does his duty?" I said that very sharply. Mr Stedman turned round and walked away. The Warden before that, had frequently warned me not to introduce or discuss religious matters, as he had much trouble with that in the Police Force. That is the only occasion that the matter of religion was alluded to between us, and that is the only time I heard a religious matter referred to in the prison by an officer or guard. I never, on any occasion whatever, saw liquor drunk on any portion of the prison premises. I was of opinion that O'Brien brought liquor in concealed upon his person. Meehan was also suspected of doing the same thing. I have called in on my road home at [illegible] tavern on several occasions, perhaps three or four times. On those occasions, I have seen some of the guards, and have drunk with some of them in Higgins' private room, never at the bar of the tavern. I never visited Higgins' tavern while I was on duty. I believe I remember the night that the Warden rang the bell for something, and that I was sent for. I believe that either Emmes or Elliott the guards, came and found me waiting in the door of the waiting room. I was not at Higgins' tavern that night. I have seen the bailiff at Higgins' tavern, we have had oysters together there. I think one or two guards were present. Twice, I think I have been to Higgins' with my uniform on. No prison officer ever cautioned me upon this subject. I did not think I was doing wrong in associating with the guards who hold non-commission rank the same as myself. I have never known that Bollard was drunk. I thought he was a very sober man. The guards perform their duties cheerfully and faithfully. I never have any trouble with them. The steward and the cook are the only persons I have had any trouble with, and the principal trouble with them has been the non-conforming with the rules of the Prison.

Frequently I go down to the kitchen and find the prisoners alone. About four mornings ago I went down five distinct times, and found the cook away. I then went into the store and found him smoking and reading. I spoke to him asking him if he considered it right to sit in the store-room, when he had so many prisoners in the kitchen, he said "yes, it suits me." When I expressed my surprise, he repeated his answer.

JAMES BEAUMONT,
Chief Guard.

RICHARD STEDMAN, Deputy Chief Guard being sworn deposed as follows:—I have never seen liquor drunk upon the prison premises. I have seen guards drunk and have reported them; I have for this offence reported guards Meehan and O'Brien. These are the only guards or employees of the Prison that I have seen intoxicated on duty. O'Brien was discovered on Sunday the 31st January, quite drunk. I sent him home and reported him; on the same morning, I saw a bottle, which I supposed to be liquor, in the steward's room. I came down to inform the Warden, and when I went back I found that the bottle had been taken away. I knew that O'Brien, Bollard and Somers, were locked in the steward's room one night, as they were noisy and I thought that they were drinking, but as the door was locked I could not go in. Guard Grassy was only in for a short time, when he came out, I tried to find out what was going on but Grassy would not say. This took place a few nights before O'Brien was dismissed. I reported to the Chief Guard that I suspected that drinking was going on. I have reported the following guards for various offences and breaches of the regulations, Guards Doherty, Grassy, Meehan, O'Brien, Coats, and Axworthy. Coats and Axworthy were dismissed upon my evidence; I have also reported the steward and cook on three or four occasions; the offences for which they were reported were repeated; the cook was reported on one occasion for being asleep, on another for smoking and reading a paper while in charge of prisoners. I have very frequently reported the cook for smoking while on duty, so much, that I thought there was no use of reporting him any more. The cook is altogether too friendly with the prisoners, he associates with them, whenever I go through the kitchen he is talking, sometimes joking with them, frequently sitting down with them. I have reported the steward for smoking on the prison premises, twice in the kitchen, when prisoners were present; twice I reported him for coming in late. I have stopped reporting offences or breaches of rules on the part of the steward and cook. The guards are most obedient—do their work cheerfully. I never had any conversation with Guard Gifford about the religions of the guards or officers of the prison, and never asked Gifford or any other guard, or any officer of the prison to join me in trying to get Catholics out of the prison service. I am not crazy enough to do such a thing. I have had private conversations with Gifford, but never on the prison premises, about religion; but I decline to say what it was; it was a private conversation, but it was not against Roman Catholics. I never said anything to Gifford that would lead him to believe that I wished to get rid of Catholics. I have not reported Gifford or have had any misunderstanding with him. For the first four or five months I led the life of a dog in the prison, simply because I did what I considered to be my duty; but now that they all know that I will do it I have no trouble. The guards

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can't do too much for me. I remember the first morning that Guard Somers attended the Roman Catholic service; when it was over I said to Mr Beaumont that Somers is a Catholic, Mr Beaumont said I thought rather sharply, "what of that if he does his duty." I thought he was rather sharp, and walked away. I was going to say to him the Roman Catholics cannot say anything now as I was the one that recommended him to the Warden as being a capital man. At first he served as a guard for the Car Company. I had heard from conversation in the guard-room that there was some feeling against me by the bailiff and the cook. I learned from the conversation that it was supposed I was against them because they were Roman Catholics. The feeling at that time was general against me because they said I was too strict, that I carried out the Warden's cast-iron orders. That is now completely changed. I think the way the trouble in respect to Roman Catholics arose, as far as I was concerned was, because I first reported the cook for some offence. I did not know that he was a Roman Catholic then; then I had to report the steward; then I had to report Meehan; as they all happened to be Roman Catholics, I think the feeling first came out in that way. I was convinced that it was the case because the next day after I reported Meehan I heard the steward say in the guard-room "the Deputy is going for the Catholics"—that made no difference to me. I had no ill-feeling against Roman Catholics, the best friends I have in Toronto are Roman Catholics. At the first Roman Catholic service that was held in the prison chapel, I was on duty; the Warden told me that prisoners were not to kneel. I was sent to Albany Penitentiary to observe the discipline of that prison, prior to the opening of the Central Prison; prisoners were not allowed to kneel neither at the Roman Catholic or Protestant service; I reported that fact to the Warden. The priest on the occasion of the first Roman Catholic service in the Central Prison, said that we can't go through our service unless we kneel down; I tried to explain the matter but as he would not hear of it, I told the priest that the prisoners might kneel and that I would speak to the Warden; having done so, the Warden said that kneeling might be continued. When I came into the prison chapel on that morning with the prisoners, I had on my official cap. I removed it as soon as I gave the knock for the prisoners to sit down, and not allow the prisoners to walk about in the chapel before the priest came. Of course, as soon as the priest came I took my seat, and never interfered after the first Sunday. I have heard the bailiff offer to pay all expenses if Guards G[illegible] and Doherty would go with him to a house of ill-fame. I have seen Mr Beaumont drunk with guards in a tavern. The orders made by the Warden affecting the steward's department are not carried out. I have heard the steward say when he was in his flying temper that he would not obey such damned orders. I remember the occasion on which the cook came up to the prison late, and was not admitted; at 11 p.m. I heard knocking and kicking on the outside of the building. I was going to get up, when the guard on duty came to tell me that the cook was outside wanting to get in; I told him he must not admit him; the noise continued until it woke me again, and the noise of kicking and knocking continued until he was let in in the morning. He would have been admitted at 6 p.m. if he presented himself; the rule in respect to locking up and non-admission is strictly carried out. Guard Powell reported the cook that morning.

RICHD. STEDMAN,
Deputy Chief Guard.

MARTIN SOMERS, guard, being sworn, deposed as follows.—I was present in the steward's room one night, I think about the 27th January. Guards Bollard and O'Brien were present; we drank whiskey in the room. Bollard brought the whiskey in. I don't know from where. Bollard brought a second bottle. I don't know where he obtained it. The bailiff came in about nine, and we left the room and went to bed about 10 p.m. I am a Roman Catholic. I have seen no bad feeling against Roman Catholics in the prison service.

M. SOMERS,
Guard.

WILLIAM STRATTON PRINCE, being sworn, deposed as follows.—At the time a change was made, Guard O'Brien, I think, in the month of September, it came to my knowledge, by the report of one of the guards, that liquor had been introduced into the guard's room by

Guard O'Brien. I reported the matter to the Inspector in conjunction with other charges, and dismissed O'Brien. I also produce a copy of an order published in the prison order book, and read to the guards and employees of the prison on the 13th of August, the day of the reinstatement of Guard O'Brien.

Order referred to.

Prison Order, June 4th.—11. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Infractions will insure dismissal, and will never be overlooked.

CENTRAL PRISON,
August 13th, 1874.

Order No. 1.—With reference to order No. 2 of the 1st August, disposing of a charge proved against Guard James O'Brien:—The Warden having taken into consideration that the offence therein specified has been the first of the kind that has been reported to him in connection with the officers of the Central Prison since its organization, he cancels that part of the order dismissing Guard O'Brien from the service of the Central Prison, but with the distinct understanding that upon a repetition of the offence of intoxication, dereliction of duty or that of bringing the character of the Institution into disrepute by *frequenting and drinking at taverns*, will result in his dismissal, as it is determined that the strictest discipline shall be enforced in the Institution, and that those officers, who are wanting in habits of discipline and sobriety shall not be retained upon its staff.

I think that the promulgation of the order referred to, had the desired effect for the time being, as I heard of no cases of drunkenness on the prison premises, until I found Guard Meehan asleep when on duty as corridor night guard, and evidently under the influence of liquor. I had previously noticed that Meehan had been a hard drinker and refused to accept him on the prison staff, owing to that failing, advanced years, and nervous temperament. Meehan was dismissed. The charge against Meehan was published in the order book on the 21st November, and read to the prison officers and guards on that day, with the result thereof, viz.: dismissal. The third case of drunkenness reported, was that of Guard O'Brien, in the guard room and corridors. I had strong suspicions that O'Brien brought in liquor and made himself drunk on the premises. O'Brien was dismissed, and the charge and result published in prison orders, of the 2nd February. These are the only three cases of drunkenness reported on the premises. I have had several conversations with the Deputy Chief, which led me to believe, that on one occasion, guards were locked in the steward's room, drinking, but evidence that such was the case, could not be produced. I was aware that Guard Boland was physically unfit for the performance of guard's duty and so expressed myself, but I never thought until this investigation that he was addicted to drinking, nor had he ever been so reported; on the contrary, that he was a sober man. It was reported to me on the 29th January, that great noise was made by the guards after lights were out, and that they had been in the habit of going into the steward's dormitory. I suspected that drinking was going on, and published an order which was read to the guards, &c. on the 1st February, enjoining strict silence and that the officers confine themselves to the rooms set apart for them, after lights out, or 9.30 p.m. I have never seen the slightest evidence of intemperance on Chief Guard Beaumont, and until a short time before this investigation, I had never heard that he was in the habit of visiting taverns, either by himself or with guards. I cautioned Mr. Beaumont against such a course. About September after the reinstatement of Guard O'Brien, I suspected that there a degree of jealousy existed; that a degree of favouritism was shown to O'Brien because he was a Roman Catholic. Deputy Chief Guard happened to report, among the first reports, English, the cook, Meehan and O'Brien guards, and Mr. McCarthy steward; all these happened to be Roman Catholics, and the charges were proven against all, and the offences against prison discipline. Orders repeated. From the remarks of the steward, who complained that they were so closely watched by the Deputy, I gathered that he (the steward), and the cook, thought that they were being persecuted, because they were Catholics. I explained to them, that no feeling of the sort could possibly exist, as they well knew that no such thing would be tolerated by me, as had also heard the men in the police force, that I did not care what religion they belonged to, so long as they did their duty. I have frequently enjoined upon the Chief Guard and the Deputy to guard against such feelings; and a short time after the organization of the prison, I published an order to that effect (Order No. 4, of June 5th). Nothing in connection with this feeling has been reported to me. When the steward first came to the prison, he complied with the prison orders; shortly afterwards he refused to attend the evening count, which I considered important, as he had prisoners in his charge which he had to account for. Upon his neglecting to attend, an order was made and read to the steward requiring the attendance of every prison officer at the evening count, as it appeared to me to be most important for the safe keeping of the prisoners, that "the officers attend the evening count, and do not absent themselves until the count was ascertained to be correct." Up to this moment the steward has ignored this order. He also ignores the order requiring the attendance of officers and guards at the reading of the General Orders, in accordance with Order No. 3, of the 7th July. I originally required that the steward should attend the reading of all orders, believing that it is essential that every officer and guard should know what is required of them in relation to the prison service and in their relation to each other; but finding that he neglected or refused to obey this general order, I amended order in his case, only requiring his attendance when the orders touched upon his own duties. He still ignores the order and won't attend, and I am obliged to send the Chief Guard to read such order to him. I produce copies of orders from the Central Prison Order-book, in respect to the delivering up of all keys of the outer entrance to the centre building and not admitting persons to the prison after "lights out." These orders the steward has ignored. He has retained the key of the store-room door, and let himself into prison after hours; he has also let others in. He has also disobeyed order of June 4th, 1874, and June 24th, requiring that visitors shall enter and depart from the south entrance from the central building; and prescribing that no one must be admitted to the prison until a pass, signed by the Warden, and countersigned by the Chief Guard or Deputy. The steward has recently ignored the discipline of the prison, and has stated that he did not consider that he was called upon to obey the order published the same as a guard. The cook has taken the same course, and sets my orders and the orders of the officers under me at defiance. I have heard the evidence of Chief Guard Beaumont and Deputy Stedman respecting the breaches of discipline and disobedience of orders on the part of the steward and cook; and from investigations made, and of my own knowledge in many instances, I state that they are strictly correct. I have frequently remonstrated with both of them but without any good effect.

WILLIAM STRATTON PRINCE,
Warden Central Prison.

Central Prison Order June 4th, 1875.—No. 11. All duties are to be conducted in a quiet and determined manner, and a boisterous *tone of voice in talking, whistling or singing,* in the guard-room and other parts of the Prison, are strictly prohibited.

12. Discussions or disputes of any nature, as to politics or anything else, within the prison premises are strictly prohibited; and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

CENTRAL PRISON, February 1st.

Order No. 1.—In consequence of the improper practice that has prevailed, of the officers creating a disturbance in the guard-room, by talking, arguing, &c. after "lights out," —a practice which is contrary to all prison rule and discipline, and which is peremptorily forbidden in other Institutions of the same kind, the Deputy Chief Guard who, in the absence of the Chief Guard is held responsible for the quietude and regularity of the prison at night time, will report to the Warden any deviation from the following order:

2. It is ordered that silence shall be observed in the guard-room and officers' apartments, after "lights out," and that the officers confine themselves to the rooms set apart for them.

Prison Order No. 4, 5th June, 1874.—16. Guards are expected to be courteous and respectful towards each other, never using improper language, and always cultivating a proper and respectful deportment; and they are to abstain from the expression of any political or religious opinions calculated to give offence.

June 6th, Order

15. Lights are to be out in the guard-room at 9.30, p.m. at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for one evening.

CENTRAL PRISON, July 6th, 1874.

Order No. 1.—The Deputy Chief Guard is to have in his possession all keys belonging to the entrance doors of the centre building at night time. these keys are to be taken charge of by the Deputy at 9.30 p.m., after personally seeing that the doors are locked, and he will enter of a morning in the book designated "the Chief and Deputy Chief Guards' Note Book," a certificate as follows:—

9.30, p.m. 1874.

I certify that all officers were present and correct, and lights out at 9.30 p.m. (or otherwise, as the case may be.)

DEPUTY CHIEF GUARD.

CENTRAL PRISON July 13th, 1874.

Order No. 1.—The attention of the officers is called to Paragraph 15 Rules and Regulations, which is as follows:—"Lights are to be out," &c.

* * * * *

The Deputy Chief Guard will see that this Order is not deviated from, and that no admittance into the prison is permitted after the prescribed hour.

CENTRAL PRISON Sept. 28th 1873.

Order No. 1. The Chief Guard will deliver over to the charge of the Deputy Chief Guard, every evening before he leaves the prison, the key of the north entrance gate.

CENTRAL PRISON, February 1st, 1874.

Order No. 2.—All keys of the outer doors of the central building are to be delivered up to the Chief Guard at the evening muster.

CENTRAL PRISON, June 4th, 1873.

Order No. 4.—(19). Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison will conduct themselves in a quiet and orderly manner; loud talking, laughing, and personal allusions to prisoners, by pointing or otherwise, are strictly prohibited.

CENTRAL PRISON June 24th, 1873.

Order No. 1.—No person shall be admitted to the Central Prison, other than employees and officials connected with the prison, without they produce a pass according to the prescribed form, which is signed by the Warden, and must be countersigned by the Chief Guard or deputy.

CENTRAL PRISON August 31st.

Order No. 1.—It having come to the knowledge of the Warden that persons have been improperly admitted into the Central Prison, by prison employees, it is ordered as follows:—

1st. No person will be admitted into the prison after 6, p.m., and not after 4, p.m., on Saturdays, and no admittance on Sundays (Clergymen excepted).

2nd. *No person*, whether a friend of a prison officer or not, will be admitted without a pass, previously countersigned by the Chief Guard or Deputy; and these officers are strictly enjoined to use great discretion in allowing people into the prison works; indeed it is better to apply to the Warden, when applications are made to visit the prison works, as it is not at all desirable that these works should be open to visitors, except under special circumstances; and no employee of the prison will be permitted to obtain a pass for a friend to visit the prison yard or works unless with the express permission of the Warden.

3rd. Admittance to the prison will take place during the specified hours, by the south entrance, centre building, and through the east entrance gate. Persons having been found to be persons, admitted through any other medium, are to be arrested.

4th. It is distinctly ordered that the north entrance of centre building is to be used only for admission of stores for prison use.

Form of pass:

Good only when countersigned by the Chief Guard or Deputy, and pass only from the gate to and from the place designated.

CENTRAL PRISON OF ONTARIO.

Warden's Office, 1874.

Pass

From Gate to

W. S. PRINCE

☞ The person holding this pass will be arrested and reported to the Warden's office, if found in any other than the places designated in writing in this pass.

CENTRAL PRISON, June 19th.

Page 8, Regulations.—16. Employees are strictly prohibited at all times from smoking inside the walls or cell-houses.

CENTRAL PRISON, August 20th.

Order No. 4.—The employees of the prison are referred to the prison rules and regulations. Paragraph 16, page 8. The Chief Guard will see that this is read to them.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, February, 19th, 1875.

SIR,—I have the honour to report for your information the escape of two prisoners named Lake and McKeown, transferred from Woodstock and Toronto Gaols to the Central Prison, under the following circumstances, viz.:—

The prisoners having by some means, cut through the bars of their cell doors, so as to obtain a space of 9¼ × 7¾ inches, crawled through and reached the floor of the corridor, from the 3rd and 4th galleries of the south wing by means of a crank shaft. They then concealed themselves in the dining room, and taking advantage of the door being opened to admit the yard night guard and engineer and its being left open during the time he was examining the thermometers to ascertain the temperature of the building, the prisoners stepped into the yard, broke open the clothes store, dressed themselves, gained the top of the wall by forcing one of the tower doors, and made good their escape. They have not since been heard of.

An investigation was made by me into the circumstances of the escape, and I found as follows:—

1st. That the escape was due to the gross neglect of duty and carelessness of Night guard Powell, who was dismissed, with forfeiture of all arrears of pay.

2nd. To the inadequate arrangements made by the Warden to ensure a proper observance of duty by the night guards, and to the loose manner in which that duty had hitherto been performed, a knowledge of which encouraged these prisoners in their attempt to escape.

3rd. To the fact that the entrance to the wall towers is from the inside of the yard, instead of being as recommended by me on the outside of the walls. This is the second escape that has been facilitated by this means.

I at once gave directions to the Warden to take the most stringent measures to prevent a recurrence of this event, framing his orders so as to meet every detail of night guard duty, and improving such checks upon their vigilance by night visits and otherwise, that a rigid performance of duty should be imperative. The Warden now reports that such measures have been taken as to effectually prevent other escapes by the same means.

I have the honour to be, Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

The Hon. A. McKellar,
Provincial Secretary.

WILLIAM HARRIS, Prison-yard Guard and Foreman, being sworn, deposed as follows.—My duty is to keep the steam up at night and Prison yard Guard. I go on duty at 6 p.m., and go off duty at 7 a.m. I visit the corridors at various times during the night, in order to examine the steam-pipes and find out the state of the heating. I enter by the centre dining-room door leading out to the yard, then I open the wooden outside door and knock on the iron gate for the night-guard to admit me. I entered four times last night,—at 9 p.m., 11.30 p.m., 1 a.m., and 4 a.m. I knocked these times, but at 4 a.m. found iron gate open. Have found it open several times before this. Guard Powell on duty this night, was on duty when I found the gate open; found it open when O'Brien was on duty; don't remember any other guard's name who has been on duty when gate was left open; never reported that I found the gate open before this. After entering at, as usual, the north and south corridors to examine the dormitories, saw and spoke to Guard Powell on each occasion of my entering. Powell followed me to the door on each occasion of my going out. Powell knew about what time I would come, so that he expected me. Have sometimes knocked at the door and waited for a quarter of an hour and had to go away without being admitted. I have told guards that I have been obliged to go away. Saw nothing unusual when I went out at 4 a.m., last night heard no noise in the yard; could not say whether the gate was locked when I went in at 4 a.m. before Powell left it to follow me to north corridor.

WILLIAM HARRIS,
Prison-yard Guard.

JOHN POWELL, Guard, being sworn, deposed as follows.—Went on duty last night as night guard at 6 p.m.; went off duty at 6.30 a.m.; saw Chief Guard at 7 and 8 p.m.; Guard Hardie about 10 and 11.30 p.m.; at 12.30 and 2 and 4 a.m. did not come as at 11.30; saw the Warden at 11.30 and spoke to him; passed through guard room and saw guards on duty at 7.30, 9, 9.30 p.m.; saw the Deputy Chief at 9.30; passed through guard-room on my way to hospital; went to hospital through south corridor stone steps at 1.30 and 4.30, a.m.; saw no guards on these occasions; went nowhere else than from one corrdoor to the other through dining room, except on those occasions; have key to open wicket gates, hospital, key of outer gate from dining hall to yard, the dark cell key and key of sleeping-room, when on duty as night guard always keep these keys in my pocket; Yard-guard Hardie did not knock when he wanted to come in at 4, a.m.; had opened it for him, and stood waiting for him at the door of the north corridor; left key in the door and did not go back to look at it until Hardie went away about five minutes; went with Hardie into corridors at 2, a.m., and 4, a.m.; sometimes hang key of gates on the ledge over dining room door; I frequently leave it there; sometimes carry it, with wicket key in my hand; I mean that I carried a small key in my pocket; door was left unlocked when I went round with Hardie at 2, a.m.; door was not locked when Hardie was in at supper at 12.30, a.m.; stayed with Hardie at that time, close to gate; did not follow Hardie into corridors at other times, when he came in; stood at the door till he came out; door was unlocked; spoke to one prisoner in his cell, No. 14 gallery, north wing, at about 8, p.m.; he was making a noise laughing; heard no other unusual noise during night; went to top gallery south wing at 7.30; heard talking there; visited top gallery, both sides, about 1, a.m.; did not visit galleries 7 and 8; visited 5 and 6 once, about 11; visited 3 and 4 once 10.15, p.m., and once, a little earlier; frequently passed round 1 and 2; visited 9 and 10 frequently; visited 11 and 12 about 6.45, p.m.; a part of 14 about 9 or 10 p.m., visited first cell only; did same thing 10 and 12 galleries; did not visit these galleries again; did not visit 13 and 14 till between 1 and 2, a.m., and then only went to the end, except when I went to prisoners in 14 gallery early in the evening; visited 15 and 16 galleries three times, once at 7.30, 8 and 9 p.m., and 16 gallery, went only part of the way about 7.30. Did not visit 15 again through the night. When Guard Hardie went out at 4, a.m. I followed him to the gate and locked it, then walked around south wing, north wing, and then up to the hospital. Visited dark cell before I went up to the hospital. I took key of gate in my hand when I went up to hospital, kept key in my hand from that time till I was relieved; put key on edge over door frame, at 11.30; it was there all the time until after 4, a.m.; used wicket key at about 4.30 and came into the Warden's office, remained six or seven minutes, locked gate and took key with me, came into office to make out my report.

My instructions are that I am to visit the galleries frequently; no time is mentioned. Guard Hardie has told me that he has knocked without being able to gain admission. I told him I came as soon as I heard him. Did not see Prisoner McKeown last night, did not look into his cell; knew him; did not know him to be a dangerous prisoner. Saw him sitting reading one night, did not speak to him that I am aware of. Did not know Lake. Heard no noise from those galleries last night. Thought it unnecessary to visit galleries frequently as I heard no noise. My opinion is that the prisoners got out of the gate into yard while unlocked at about 4 a.m. while I was in north corridor with Hardie. Prisoners might have concealed in dining room as it is dark. Heard the orders read with reference to escape of prisoners; extraordinary vigilance enjoined. Warden has frequently called my attention to necessity for going round galleries when coming on at night. Understood from night guards who I relieved, that I should come into Warden's Office to make out reports.

JOHN POWELL,
Guard.

Prisoner W. HOWARD, No. 336, cell near Lake's.—Heard no noise during night. Heard guard, or thought it was guard, pass once through night.

Prisoner J. TURNER, No. 308, gallery 15.—About 10 or 11 p.m., was lying in bed awake; heard some one pass, and saw two prisoners as they passed; was very quietly. Stood at end of gallery some time. Staid awake for two hours in order to tell the night guard. Did not see the night guard at all. Heard them climb down cross bars at north end. Heard no other noise.

WILLIAM BARRY, No. 284, Gallery 14, next to McKeown.—Heard whispering in gallery 16, and slight noise about twelve, p.m. Heard no other noise. Thought it was the guard.

WILLIAM THURSTON, No. 303, next to McKeown.—Heard noise like filing every night this week. Heard telegraphing with spoons on door at night.

Rules and Regulations for the government of the Central Prison of Ontario, Toronto.

DEPARTMENT OF
INSPECTION OF ASYLUMS, PRISONS, &c., ONTARIO.
TORONTO, 8th April 1875

SIR,—I have the honour to transmit herewith, for the approval of His Honour the Lieutenant-Governor in Council, a copy of the Rules and Regulations framed by me, in conformity with the provisions of 34th Victoria, cap. 17 section 7 defining the duties of the various officers and employés of the Central Prison and regulating the management, discipline, and routine of that institution all of which is respectfully submitted.

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Hon. the Provincial Secretary
etc., etc., etc.

The annexed Rules and Regulations, for the Government of the Central Prison of Ontario, were approved by His Honour the Lieutenant-Governor in Council, on this 12th day of April, 1875."

J. G. SCOTT
Clerk Executive Council

Executive Council Office,
Toronto, 12th April 1875.

I.

1. The Officers and staff of the Central Prison shall be as follows :—

A Warden.
An Accountant.
A Surgeon.
A Storekeeper.
A Chief Guard.
A Deputy Chief Guard.
A Bailiff.
An Engineer.
A Cook (and Baker.)

And such guards as may from time to time be required.

II.

WARDEN.

2. The Warden is the responsible head of the prison, and superior in authority to every other officer. It is his duty to see that the rules and regulations are strictly observed, and he is responsible for the proper administration of the affairs of the prison except in the financial department.

3. He shall, with his family, be required to reside in the prison, but shall not use the prison labour (except for purposes specified by the Inspector), nor shall he use the services of any officer or servant of the prison for his private advantage. He shall, in virtue of his residence, be entitled to fuel, light, and water in addition to furnished apartments, but shall receive no other perquisites whatever.

4. The Warden is responsible for the discipline of the prison, but shall not use the and prisoners he shall carry out all orders made and instructions given by the Inspector of

Prisons; he shall frame and enter from time to time such orders as may be necessary in furtherance of the prison rules and regulations, entering such orders in the "Warden's Order Book"; he shall interpret all rules and instructions in cases where a doubt arises, and his decision shall be binding on the other officers, and relieve them from responsibility; he shall see that all the officers under him are careful, vigilant and zealous in the performance of their duties; he shall report to the Inspector of Prisons any neglect of duty, carelessness, insubordination or disobedience of orders on the part of any officer of the prison and shall see that any orders made by the Inspector for such misconduct under the provisions of 34 Vic., Cap. 17, sections 8 and 9, are strictly carried out; he shall see that justice and morality characterize the conduct of all officers, that no unnecessary severity or harshness is used towards any prisoner, that no profane or indecorous language is used by any officer or prisoner, and that the prison service generally is carried out with humanity and discretion.

5. In giving effect to the rules framed for the encouragement of good behaviour and industry, great responsibility is thrown upon the Warden, and every officer of the prison, that, by giving to every prisoner the exact measure of justice to which his behaviour entitles him, the true intention of the rules may be carried out; and as the discipline of the prisoners depends upon the impartiality, intelligence and discrimination of the subordinate officers of the prison, it shall be the duty of the Warden by constant examination and supervision to satisfy himself that the reports as to the conduct of prisoners are correct and reliable.

6. The Warden is responsible that the rules and regulations in respect to the dieting and clothing of the prisoners are strictly enforced; that the food is well cooked, and cleanly and wholesomely served, and punctually at the times appointed; he is to see that due economy is exercised in the preparation of the food, and that any changes in the dietary recommended as necessary by the Surgeon are properly carried out. He shall be present at least once a day at the meals furnished to the prisoners, to see that all regulations are observed.

7. The Warden is responsible that any prisoner who is reported sick by the Surgeon, shall be placed in the hospital and supplied with the diet ordered by the Surgeon. He shall visit the hospital at least once a day to see that the regulations and the orders recorded in the Surgeon's Minute Book are duly observed.

8. The Warden is responsible for the preservation of cleanliness and order in every part of the building, yards and grounds, and shall see that the shops and grounds occupied by the contractors are at least once a week cleared of filth, dirt, cinders and refuse matter, and that no lumber or material is piled on the grounds that will endanger the safe-keeping of prisoners. And shall see that the persons of the prisoners, their clothing, bedding and cells are clean and well kept. He shall see that the walls are whitewashed as often as necessary, and that no cutting, writing, or mark of any kind (except the necessary prison marks) is allowed to remain on the furniture or walls or on anything belonging to the prison.

9. The Warden is responsible that the prison is properly heated, ventilated and lighted. He shall see that thermometers are kept in the various positions known to be the warmest and the coldest portions of the corridors, which shall be visited at stated hours during the night, and a record kept of the temperature at such times.

10. The Warden is responsible for the security of the prison, and shall see that the following rules are observed.

(1.) That the locks are secure and in good order.

(2.) That the entrance doors of the prison shall never be left open, or a key left in any lock, and that the keys are in the custody of the person in charge at all times.

(3.) That before a guard enters a cell, while any prisoner is in the corridors, the bolt shall be shot and the keys shall be removed so that the door cannot be closed upon him.

(4.) The Warden, or an officer deputed by him, shall once a day at least examine all doors, stair and passage doors, and carefully examine each window grating.

(5.) That all implements, or materials of work calculated to facilitate escape, shall be carefully collected and removed each night from cells and corridors and locked up in a secure place. No ladders shall be allowed to remain inside the prison proper but shall be kept in a securely locked store.

(6.) That all prisoners employed in domestic offices shall be closely watched, and

never left unwatched. No prisoner shall have access to the main door of the prison, or be allowed to communicate with prisoners in their cells.

(7) That all prisoners, cells, furniture and bedding shall be carefully searched at irregular intervals to see that no improper articles are concealed.

11. The Warden is held responsible that each night, before the hour of retiring, every part of the prison in which prisoners are confined shall be visited either by himself personally, or by the Chief Guard, and he shall cause the night guards to be visited on each night at irregular times to make sure that they are on the alert.

12. The Warden is held responsible that all guards who are placed on duty for the night, shall be fit for duty in every respect, and shall so arrange the Roster for night duty that no excuse can be offered for sleeping on their post.

13. The Warden is responsible that the working gangs are paraded at proper hours, and marched off to their various workshops; that in the case of sickness or discharge of a prisoner, another shall be selected to fill his place, and thus keep up the complement; that the shop guards, instructors, and workmen employed within the prison walls observe all the regulations of the prison; that the regular hours for work be not exceeded; that the gangs are mustered and counted at each meal and before locking up, so that each prisoner may be present when closing the prison for the night; that the workshops, boiler-houses, engine rooms, store-rooms, sheds, water-closets and lumber yards shall be examined every night after locking up, to see that all is safe; that the fastenings of all gates or doors leading to the outside shall be secure and locked; and that no person, other than the employees of the Prison, is on the premises; that no material is placed at or near the walls to facilitate escape, on the inside or outside; that the yard night guard is vigilant and alert in the performance of his duty; that the wall guards are at their posts before the prisoners are allowed into the yards in the morning, and do not leave their posts until after locking up at night; that they are properly armed, that their rifles are in good order, and that they have a sufficient supply of ammunition; and that every means are taken to ensure the custody of the prisoners during working hours.

14. The Warden shall visit each workshop at least once every day during the time the prisoners are working, and shall satisfy himself as to the behaviour of each prisoner, his industry, diligence and skill in the execution of his work. He shall observe the relations that exist between the prisoners and guards, instructors and workmen, with a view to check undue familiarity or intimacy; and shall see that no prisoner is worked beyond his capacity or strength; and that no favouritism exists.

15. He shall satisfy himself that no prisoner receives any gift, reward or letters from any guard, instructor or workman, and that no communication is carried on by such means with parties outside the prison. Should he discover such correspondence, he will at once suspend the offender and prevent further intercourse with the prisoner, reporting the circumstances to the Inspector of Prisons.

16. The Warden shall not absent himself from the prison for more than twelve hours, without giving notice to the Inspector of Prisons; nor shall he absent himself from prison duty for more than forty-eight hours without leave of absence, or in case of sickness, reporting himself sick to the Inspector of Prisons. On all occasions of his absence he shall leave the next senior officer in charge, who shall perform all his duties, and be subject to his responsibilities; but it will be the duty of such officer to reserve for the Warden's consideration all important matters that do not demand immediate settlement. Should an extraordinary emergency arise, reference will at once be made to the Inspector of Prisons.

17. When any subordinate officer is found by the Warden to be unfit for his duties, or defective in moral character, it shall be his duty to report the case to the Inspector of Prisons, suspending him from all prison duty pending the Inspector's investigation into the case. The Warden may not, however, summarily dismiss any officer without such investigation. When any officer is so suspended, and from the date of such suspension, no wages accruing or in arrears will be paid to him, as he is held liable to fine under the Inspector's authority.

18. The Warden shall consider it his duty to make himself acquainted with the moral habits and conduct of every officer of the prison, particularly whether, when off duty, he is a frequenter of taverns or houses of similar resort, or associates with idle or loose characters, reporting the facts to the Inspector.

19. The Warden shall use every means in his power to forward the reformation of the

prisoners under his charge. He shall see that they attend Divine Service regularly, or such religious meetings as may be held for their benefit and instruction, and shall facilitate their communication with clergymen of their respective denominations for religious instruction; he shall see that the books of the library are regularly issued to those entitled to their use, and that morality and decorum characterise their behaviour.

20. When a prisoner is received into the prison, the Warden shall cause him to be bathed, his hair cut and beard, &c., shaved, and he will then be examined by the Surgeon; should he be suffering from any disease he shall be disposed of as the Surgeon shall request. He shall be clothed in prison dress, and the Warden or Chief Guard shall read over to him the rules of the prison, and if free from disease, he shall then be removed to a cell, and be placed in a working gang.

21. The Warden shall cause a complete inventory to be made of all property or clothing found on the person of a prisoner in a book to be called "Prisoners' Effects Book;" should any money be found, it will be handed to the Accountant to be deposited in the Post Office Savings Bank, in trust for the prisoner, and it shall be paid to him on his discharge, with any interest that may have accrued. Upon the serious illness of a prisoner he shall notify a clergyman of the denomination to which the prisoner may belong, and shall consult the wishes of the prisoner as to any particular person he may desire to see. Upon the death of a prisoner he shall at once report to the Inspector of Prisons in writing, giving particulars as to name, sentence, where from, duration of illness, nature of disease, etc.; and when practicable, shall inform the nearest relations of the deceased, and shall record the facts in his Journal. In case of the escape of a prisoner he shall instantly give information to the Inspector of Prisons, and to the Chief Constable of the City and neighbouring towns, giving a description of his person. Before any prisoner is discharged he shall cause him to communicate with his relations or friends, stating on what day and at what time he will be released, that they may have an opportunity of sending him money to procure a passage to his home. Passage money, so supplied will be expended by the Warden, who will cause a ticket to be purchased for the prisoner and have him placed on the train in order to ensure his departure. In the case of a prisoner having no means to reach his residing home, the Warden may recommend to the Inspector that a ticket shall be procured for him and, if granted, he shall be placed on the train by an officer of the prison.

22. The Warden shall cause to be kept the following books, viz.:—

(1.) The Prison Register containing the name and descriptive details relating to the prisoner, nature of offence, term of sentence, &c. &c.
(2.) The Punishment Book, showing the nature of offence and extent of Punishment awarded.
(3.) The daily Journal of occurrences at the Prison, with any remarks he may think called for respecting them.
(4.) The Warden's Order Book, in which all orders issued from time to time must be entered.
(5.) The Reference Book, in which must be entered all minor cases submitted for decision to the Inspector of Prisons, with a margin for remarks.
(6.) The Inspector's Minute Book.
(7.) Prisoners' Effects Book.
(8.) The Prisoners' Labour Distribution Book.
(9.) Officers' Misconduct Book.
(10.) Prisoners' Visiting Book.

23. The Warden shall make the following returns to the Inspector of Prisons, viz:—

(1.) A weekly return showing the movements of prisoners in the prison for the preceding week, with distribution on back, showing occupation at time of return.
(2.) A quarterly return of all punishments inflicted, and for what offence.
(3.) A quarterly return of clothing, &c., issued to prisoners, showing the condition of that which is in use.
(4.) A quarterly return, showing the work performed in the prison workshops for the preceding three months, with value of material, &c., used, and value of stock manufactured.

(6.) An Annual Report for the year ending 30th September showing the operations of the prison for the year and containing the following tables:

Table showing movements of prisoners during the year.
Remarks upon working of the prison.
Distribution of prisoners on 30th September.
Nationality and religion of prisoners.
Social condition and habits of prisoners.
Education of prisoners.
Ages of prisoners.
Terms of sentences.
Counties from whence committed.
Offences for which committed.
Occupation previous to committal.

III.

ACCOUNTANT.

24. Subject to the control and authority of the Inspector the Accountant shall act as Financial Agent of the Prison, and shall have general superintendence and charge of its financial affairs.

25. He shall purchase and pay for all supplies and stores for every department of the prison, when authorized by the Inspector to do so, and no bills for the same, or for any service connected with the prison, shall be paid without his knowledge and without having been first submitted to and marked approved by the Warden.

26. He shall keep the accounts of the prison, and prepare monthly statements of the receipts and expenditures thereof, which shall be sent to the Inspector for audit, to be forwarded by him to the Treasurer of the Province for payment.

27. He shall make an exact copy in the day-book of every account paid by the prison, and shall accurately analyse the same under proper heads of service, on the Journalizing side he shall post such entries in the Prison Ledger every month, immediately after the accounts have been paid, and shall then make out a statement of all expenditures in duplicate, to be laid before the Inspector and the Warden showing the balance unexpended on the appropriations for the year's maintenance under each heading.

28. He shall examine and check all invoices, and with the Storekeeper shall check all goods by the invoices, and shall see that all quantities are entered in the stock book, and that the quantities of goods received agree with those charged on the invoice, and shall procure the signature of the Storekeeper to the invoice as "received and correct," before forwarding the same for payment.

29. He shall, from time to time, check the "Stock Book" with the "Issue Book," and see that the quantities issued and in store agree with the quantities in the stock book, and that these books are properly and neatly kept.

30. He shall be held responsible that the quantities of supplies in store are adequate for the requirements of the prison, and shall, from time to time, as requisitions are made upon him by the Storekeeper marked "approved" by the Warden make purchases of the same, when authorized by the Inspector if such goods are not then in store.

31. Supplies for the prison shall, whenever practicable, be obtained by contract, which will be entered into by the Inspector of Prisons. The Accountant shall take care to give timely notice of the termination of every contract, so that a new one may be entered into. It shall be the special duty of the Accountant to see that all contracts made for supplies are faithfully executed, that the articles are strictly of the quality specified in the contracts, and delivered at the time or times required. Especially with reference to articles of food he shall take care that if any part is unwholesome, or not fully according to the specification of the contract, he shall cause it to be at once taken away by the Contractor, and if the Contractor does not immediately replace it according to contract, he shall cause a quantity sufficient to replace it to be purchased forthwith in the market, the price of which shall be charged in the Accountant's books against the Contractor

32. If any doubts arise as to the fitness of any article of food, he shall, together with the Warden and the Surgeon, decide whether the same shall be received or rejected.

33. In order that a strict system of economy may be secured, the Accountant is enjoined to make such inspection and inquiry into the expenditure under each head, that he may be satisfied that the expenditure is legitimate, that the appropriation for each service is not exceeded, or that there has been no apparent want of economy in the use of that which has been consumed.

34. He shall receive from the Warden, weekly, the time books of the various shop guards, which he shall see are properly certified in the manner prescribed in the contract leasing certain prison labour; and when examined and found to be correct, he shall charge in the books kept for that purpose, the amount of convict labour furnished to Contractors under the terms of their contract.

35. He shall also keep in a book provided for that purpose, a record of prisoners' labour expended upon any alteration, improvement, repair, or addition to any of the buildings, works, machinery, drains, yards, grounds, or property of the prison, or any prison labour expended on the farm or garden, and in the various branches of the domestic and disciplinary services of the prison, such statement of prisoners' labour to be made up weekly and certified by the Warden, so that the precise value of prison labour may be ascertained and preserved.

36. He shall receive from the Warden from time to time, lists of prisoners, their ages, and previous occupations, in order to enable him to make tender of their labour to the Contractors. He will note in a book to be kept for that purpose, the number, names, and dates of such tenders, and he shall furnish to the contractors all accounts and statements called for by any existing contract.

37. He shall attend at his office regularly from 9 a.m. until 5 p.m. in summer, from 10 a.m. until 4 p.m. in winter, and at such other hours as may be necessary for him to leave no arrears of work.

38. He shall prepare and make out the following statements for the office of Inspector of Prisons:—

(1) Statement of expenditure (monthly) in duplicate, to accompany monthly accounts, by the 15th of each month.

(2) Statement of revenue and expenditure (monthly) to accompany vouchers of receipt.

(3) Statement of labour account as furnished to Contractors (monthly.)

(4) Statement of casual revenue (monthly), by the 15th of each month.

(5) Requisitions for supplies (quarterly), and stock lists of articles in store, on the 1st January, 1st April, 1st July and 1st October in each year.

(6) Abstract from stock and issue book showing issues of clothing by wear and tear during half year.

(7) Inventory of prison property (yearly) on the 1st January.

39. He shall also prepare a statement of expenditure for the year ending 30th September together with

a. A statement of labour account furnished to Contractors for the year ending 30th September.

b. A statement of casual revenue for the year ending 30th September. These statements must be in the Inspector's Office by the 5th of October.

40. He will also prepare similar statements for the year ending 31st December which must be in the Inspector's Office by the 20th December as no payments can be made from the Treasury Department after that date. On furnishing this statement he will close his books for the year.

IV

SURGEON

41. The Surgeon shall visit the Prison at least once a day, not later than 9 a.m., and oftener if required. He shall have the general charge of the health of the prisoners, and the officers and employees of the Prison resident upon the premises, and shall be responsible for the professional treatment of those who require such treatment.

42. He shall see every prisoner as soon after his admission as practicable, and he shall see that the weight of each prisoner is recorded on being received into the prison, shall carefully examine him as to the hardness or softness of his muscles, the plumpness or thinness of his limbs, and the general state of his health, the result being duly recorded. He shall note any evident peculiarities in the mental qualities of prisoners.

43. He shall visit sick prisoners as often as the different cases may require, and at least once in every month he shall go into every room and cell in the prison, and see every prisoner. He is responsible in the course of his visits or otherwise, for discovering whether there is any cause of sickness in operation, especially from the following, viz.: want of cleanliness, either in the person of the prisoners, or in their clothing or bedding; insufficient supply of food or of water; unwholesome quality of food or of water; want of warmth, either from the coldness of the cell or from the insufficiency of the clothing or bedding; want of ventilation; dampness or malaria; imperfect drainage; insufficiency of exercise in the open air.

44. Whenever he discovers any cause of sickness, he must give immediate information of it to the Warden, and if the evil be not remedied immediately it shall be his duty to communicate the fact in writing to the Inspector of Prisons.

45. The Surgeon shall keep a book to be called the "Medical Register," also a book to be called the "Surgeon's Minute Book," both of which shall be open to inspection in the Prison and Hospital. He shall enter in the Medical Register the nature of every case of illness which is sufficient to prevent a prisoner from working, giving the date of commencement of such illness, the name of the prisoner, the ailment or disease, whether the prisoner was treated in the hospital or in cell, the result of such treatment, and the number of days that the prisoner was incapacitated for labour while under his care, also every death and the causes of the same. In his "Minute Book" he shall record daily, for the information of the Warden and the Hospital Guard, opposite the name of the prisoner requiring medical treatment, his orders for exempting such prisoner from labour, giving the period of such exemption, his prescriptions for medicine and specimen in every case, orders for extra diet, and the continuance of the same, and all directions and orders for the proper treatment and care of sick prisoners.

46. At his morning visit he shall first see the prisoners who report themselves sick and he shall then decide whether they shall be returned to their work or shall be ordered to the Hospital or their cells for medical treatment, reporting the names of the sick to the Warden. In performing this duty, he must bear in mind that with many prisoners every means will be resorted to, in order to shirk their work, and much depends upon the skill of the surgeon in detecting feigned sickness.

47. He shall visit daily those prisoners who are under confinement for prison offences, and he shall be present on all occasions that it may necessary to inflict corporal punishment.

48. In attending the prison officers resident upon the premises, who may be incapacitated by illness from the performance of their duties, he shall report to the Warden the nature of their illness, and when they are able to return to their duties. And when desired by the Warden, shall visit officers at their houses and report similarly upon their case. If prevented from attending to his duties through illness or other unavoidable causes, he shall submit for the approval of the Inspector the name of another medical practitioner who shall perform his duties during his absence.

49. He shall report to the Warden from time to time as may be required, upon all matters pertaining to his duties, and annually or oftener if required, he shall report to the Inspector upon the health of the prisoners, and the sanitary condition of the Prison, with such recommendations as he may deem necessary for the preservation of health and improvement of the service; and he shall also give such statistical returns as are, or may be required.

50. A guard styled the "Hospital Guard," is detailed to assist the medical officer in the execution of his duties. His duties are at all times, to follow the directions of the medical officer and obey his orders in the treatment of the sick.

V.

STOREKEEPER.

51. The Storekeeper shall take charge of the stores and store-rooms of the Prison, subject to the supervision of the Accountant, and he shall be held responsible for the condition of the goods committed to his care, and for the order and neatness of the store-rooms.

52. He shall see that every article of clothing and bedding, and all general stores that will admit of it, are properly marked with the prison stamp, as soon as they are received into store, and before they are issued for service.

53. He shall keep the following books:—A book to be called the "Stock Book," in which a separate account shall be opened for every article of food, clothing, bedding, furniture furnishings and property belonging to the Province, for the use and purposes of the Central Prison,—charging on the debit side of the account, in weight, quantity or measure, every such article received into store for prison use, and crediting monthly all issues of the same for consumption and use; a book to be known as the Issue Book, in which shall be entered daily, the weight, quantity, &c., of all stores or supplies issued for consumption or use, and which shall be made up monthly, and entered on the credit side of the Stock Book.

54. A book to be called the "Ration Book," in which shall be entered weekly in detail the provisions and supplies used for rationing the prisoners, showing the entire cost of the whole for the week, and the average daily and weekly cost per prisoner, also giving the same information in respect to the guards' mess; two copies of these abstracts shall be prepared and handed to the Accountant at the end of each week, one for transmission to the Inspector, and the other for the Warden.

55. The Storekeeper shall make requisitions upon the Accountant for all provisions, stores and supplies for the use of the prison and prisoners, such requisitions to be first submitted for signature, and marked as approved by the Warden.

56. The Storekeeper shall deliver such provisions, stores and supplies to such officers of the prison, and at such times as the Warden shall designate, upon such officer presenting a requisition for the same, signed and marked "approved" by the Warden.

57. He shall assist the Accountant in keeping the books of the prison, and in the preparation of the monthly accounts, and shall render such other assistance to the Accountant as the duties above detailed will allow. He will also perform such other duties as may be assigned to him by the Inspector of Prisons and shall remain in his office from [illegible] a.m. until 6 p.m.

58. He will remain in the Bursar's office during office hours in the absence of the Bursar.

VI.

CHIEF GUARD.

59. The Chief Guard shall reside upon the premises, and under direction of the Warden, take principal charge of the premises day and night, and shall see that all the disciplinary officers and employees faithfully perform the duties assigned to them by the rules and regulations, and the Warden's order book.

60. He shall be present at the opening and closing of the prison, keeping a record of the reception and discharge of prisoners, inspect the prison at closing and see that all is in good order.

61. He shall report to the Warden every morning, the names of prisoners reporting themselves sick, stating what is their complaint. He shall take the medical officer to see the sick or complaining in the cells or hospital.

62. He shall prepare requisitions upon the storekeeper for such articles of stores as may be wanted, confining his requisitions to that which is necessary, and preventing all waste and extravagant expenditure, but such requisitions must be marked "approved" by the Warden before the stores can be drawn.

63. He shall every day cause to be examined the blankets, beds, furniture, locks, doors, and cells generally, and see that they are not injured and that no attempt at escape has been

made and that no implements are concealed. Whenever he discovers anything wrong, he shall report the same to the Warden.

64. He shall spend the whole day in general supervision of the disciplinary officers and employees, and shall direct them in their respective duties. He shall receive reports from such officers and employees of all cases of disobedience or violation of rules, and shall report the same to the Warden—attending before the Warden on his disposal of offending prisoners. In the absence of the Warden, the Chief Guard shall have the Warden's power and authority so far as relates to discipline, &c., and shall be obeyed and respected accordingly.

65. He shall be minute in the inspection of the guards when coming on duty, especially the wall-guards and their arms.

66. It shall be his duty generally to see that the whole establishment exhibits thorough neatness, good order, and cleanliness.

67. He shall at all times have a strict supervision over the internal affairs of the prison, and especially of its police; and he shall be held responsible to the Warden that his orders are strictly obeyed, and to this end the Chief Guard must be present day and night, that he may be able during the evening and night to see that all is safe, and that the officers on duty are vigilant, and that the officers in the guard room are correct, and the guard room quiet, reporting anything otherwise to the Warden.

68. He shall constantly reside at the prison.

69. He shall visit the several working parties frequently, and see that the prisoners are kept steadily at their work. He shall diligently observe the behaviour of the officers and prisoners, see that they strictly adhere to orders, and shall immediately report to the Warden any neglect or misconduct that may come to his knowledge.

70. He shall see that all the officers are fully instructed in their particular duties.

71. He shall see that all prison keys are delivered up to him every evening, at the "the evening count," and that they are securely disposed of for the night, under such regulations as may be established by the Warden.

72. He shall deliver to the cook daily a return of rations required the following day, and compare those of the preceding day with the total number of prisoners. He shall notify the Storekeeper of any changes in the guards' mess, and shall see that no extra clothing is issued to a prisoner without the authority of the Warden.

73. He shall keep a minute book, in which shall be entered the daily routine of duty and special occurrences.

74. He shall see that the books and registers in the Warden's office are properly kept.

75. It shall be his duty to set an example of sobriety, vigilance and energy to the officers under him. The practice of frequenting public houses and groceries where spirits are sold, and of drinking in them is so disreputable, and so calculated to lower the efficiency and respectability of the officers of the Central Prison, that the Chief Guard shall bring under the notice of the Warden, any officer who entertains this habit, as he cannot be permitted to remain upon the prison staff.

76. He shall also consider it a main part of his duty to exercise a sound moral influence over both the officers and prisoners placed under his supervision.

77. He shall frequently visit the prisoners in their cells. He shall restrain, by his authority, every tendency to oppression or undue harshness on the part of officers, and likewise every tendency to levity, rudeness and insubordination on the part of prisoners, and shall discourage by his own example, and by the maintenance of a high moral standard every disposition to deceit and falsehood and impress upon the prisoners a sense of their responsibility, and the benefits arising from a conscientious discharge of their duties.

78. He shall retain in his possession all keys of the grated doors leading into the north side centre building; also the key of the grated door between the prison proper and the west department, and shall attend and open the same whenever required for the admission of stores, &c., and discharge of refuse, &c., locking the same after reception or discharge thereof.

79. The Chief Guard shall fill up every morning, in the book designated "Prison daily labour distribution book," the distribution of labour for the day, specifying under the heads of their several employments the nature of the work they are employed upon, and submit the same for the inspection of the Warden.

VII.

DEPUTY CHIEF GUARD.

80. He shall reside in the prison. He shall assist the Chief Guard in the general superintendence of the officers and prisoners, &c., in the execution of his duties.

81. He shall be constantly patrolling and visiting the working parties, reporting to the Chief Guard any infraction of discipline, neglect or dereliction of duty that may come under his notice.

82. He shall whenever required, take the place of any Shop Guard who may be absent.

83. He shall see that all prisoners on arrival are thoroughly cleansed, their beard removed, and their hair cut close, and that they are supplied with a suit of prison uniform.

84. He shall also personally supervise the bathing of prisoners at the stated periods.

85. He shall promptly report to the Chief Guard any indications of disease that he may discover, and shall see that the plain clothes taken from prisoners on their arrival are properly cleaned, repaired if necessary, and then securely tied up in a bundle, marked, and put away in the "clothes store room," for safe keeping, to be restored to them when discharged.

86. He shall personally superintend the change of dress by prisoners to be discharged; this change is invariably to take place in the "Drying Room," and the deputy shall see that every article of prison clothing is taken and delivered over to the Storekeeper.

87. He shall lose no time in communicating to the Chief Guard for the information of the Warden, every circumstance which may come to his knowledge affecting the safety and health of the prisoners, and the efficiency of the officers, or in any other way requiring the Warden's attention.

88. He shall pay particular attention to prisoners confined in the dark cells for punishment.

89. If, under any circumstances, the Warden and Chief Guard are both absent, the charge of the prison shall devolve upon the Deputy Chief Guard.

90. The rule of conduct to be observed, and example to be set by the Chief Guard, apply also to the Deputy Chief Guard.

VIII.

BAILIFF.

91. The Prison Bailiff shall be attached to the Central Prison for purposes of pay, but shall be considered as an Officer of the Department of Inspection. He will, however, be amenable to all general rules for the guidance of officials of the prison while within its walls, and when not otherwise employed, shall do such duties as may be assigned to him by the Inspector of Prisons, in connection with the service of the Central Prison.

92. He shall be responsible for the safe conveyance and transfer of all prisoners from Common Gaols to the Central Prison, and shall make such reports, and prepare such transfer papers as may be necessary for the purposes of the prison.

93. He shall account for the expenditure of all moneys entrusted to his charge, and shall give a monthly statement of expenses incurred in the transfer of prisoners.

94. He shall be responsible for the conveyance of all money and valuables found on the persons of prisoners, when committed to gaol, until he can hand them over to the Warden of the Prison, and receive his receipt therefor.

95. He shall perform such other duties as may be assigned to him by the Inspector of Prisons, under the provisions of Sec. 1 Cap. 24 38th Victoria.

IX.

ENGINEER.

96. The Engineer shall have general charge of all fittings and matters connected with the supply of water, gas, steam, &c., and of the repair of locks, bolts, &c. He shall also be responsible for the serviceable state of the fire hose and hydrants, engines, boilers, &c.

97. He shall keep accounts of all consumption of coal, wood, gas, &c., connected with his department, and use every exertion to promote economy in these particulars.

98. He shall make such daily or other reports, and keep such records connected with his department as shall be required by the Inspector of Prisons. He shall attend to the steam boilers, engines, fires, &c., during his period of duty, and see that the machinery is kept clean and in good order.

99. He shall attend with the other guards, every evening at the "evening count," accounting for the safety of the prisoners under his charge; he shall not leave the premises until the withdrawal of the Wall Guards, upon the evening count being found correct, and on his being relieved by the "Prison Yard Night Guard and Engineer."

100. He shall not absent himself from the Prison during his hours of duty without leave from the Warden.

X.

COOK AND BAKER.

101. The Cook and Baker shall superintend the cooking and baking for the whole prison, including the prisoners' and guards' mess, and shall be held responsible for the proper cooking of the food, and for the cleanliness of the kitchen and bakery, the coppers and all utensils in use in his department.

102. He shall board and lodge upon the prison premises, and not absent himself therefrom without permission of the Warden.

103. He shall make requisitions upon the Storekeeper, which are to be signed by the Chief Guard, and countersigned by the Warden, and delivered by the Chief Guard to the Storekeeper, for the supply of rations for the use of the prisoners and the guards' mess. A certain hour each day shall be set apart by the Warden for the delivery and reception of stores to and from the storekeeper's department, for the kitchen and other parts of the Prison proper, after which the communication between these departments shall be closed, except for special requirements.

104. He shall every morning receive from the Chief Guard a list of the number of prisoners to be dieted, and shall keep such an account of the number of prisoners, and the quantity of food received into the kitchen, as may be required of him by the Warden.

105. He shall be exact in measuring or weighing the provisions to be served out to the prisoners and guards' mess at each meal, and it shall be his duty to see that due economy is observed in the management thereof, and that no waste takes place in his department, and to report to the Chief Guard, for the information of the Warden, any defects he may observe in the quality of the articles of food.

106. He is strictly forbidden to employ any prisoner in the kitchen unless authorized by the Warden. He shall be responsible for the good conduct and obedience to prison rules and discipline of all prisoners employed under his charge, and he shall immediately report to the Chief Guard any infringement of the prison rules and regulations, on the part of the prisoners detailed as his staff, such as unnecessary talking, wrangling or smoking; and it will be the duty of the Chief Guard and Deputy Chief Guard to visit the kitchen and adjoining apartments frequently during their tour of duty, to see that the rules are enforced.

107. The Cook shall conform to the rules and regulations of the prison and such orders and regulations as shall be issued from time to time in the same manner as any other guard, and account personally for the number of his squad to the Chief Guard at the evening count.

108. He, together with the prisoners comprising his staff, shall confine himself wholly to those departments which are placed under his supervision within the prison proper, viz., the kitchen and bakehouse.

109. All prison keys entrusted to his charge during the day shall be delivered up to the Chief Guard at the evening count.

110. The Chief Guard, or the Deputy, will always attend at any hour named by the Warden, for the purpose of opening the gates or doors to which the Cook or his staff shall have access.

111. The Cook shall lock up and keep out of the prisoners' reach food of any description, such as that which goes down to the kitchen from the Guards' mess, &c., which they

might otherwise be tempted to take; and he is on no account to give the prisoners any food beyond their proper allowance and quality.

XI.

PRISON YARD NIGHT GUARD AND FIREMAN.

112. He shall mount duty at the evening muster, and shall patrol in and about such parts of the prison yard and buildings, and during such hours as the Warden may direct. He shall vigilantly watch the premises through the night. He shall note down in "The Night Patrol Report Book," for the Warden's information, the precise nature of any irregular or extraordinary occurrence during the night.

113. In case of fire or other emergency he will instantly communicate with the Night Corridor Guards, they in their turn arousing the guard room officers. He must attend to the engines, boilers and fires during the night time, keeping a record during the winter months of the register of heat, as shown by the thermometers in the corridors. He shall observe due economy in the consumption of fuel and gas.

XII.

HOSPITAL GUARD.

114. He shall reside upon the premises, and not leave them without the permission of the Warden.

115. He shall attend the sick under the direction of the Prison Surgeon, and shall assist in preparing and dispensing the medicines ordered by the medical officer, and see that the medicines so ordered are taken by the patients at the proper time, and that the diet ordered by the surgeon is given and properly entered in a book.

116. He shall see the complaining sick every morning before the prisoners are sent to work, having them in readiness for the visit of the surgeon.

117. He shall on no account suffer his prison keys to be in the possession of any other person, or lay them carelessly about, or admit any stranger into the hospital without obtaining the Warden's authority.

118. He shall keep the hospital books properly filled up according to order. He shall be particular in calling the surgeon's attention to any case that may require instant attention.

119. All orders for the removal of prisoners from the cells to the hospital must be signed by the Surgeon; also those returning prisoners from the hospital, and these orders are to be registered in a book to be kept for that purpose, termed the "Hospital Guard Book."

120. He shall see that the prisoners in the hospital are clean in their persons, and wash themselves properly, and that every prisoner has clean shirts at least once a fortnight, and that their linen and stockings are changed every Sunday morning.

121. He must be particular as to the number of articles sent from the hospital to the wash, and take an inventory of the same, and that there are no deficiencies on their return.

122. He shall be particular in enforcing cleanliness in every part of the hospital. He shall keep such lights burning during the night as the Warden or Surgeon may direct.

123. He shall keep a report book, in which he shall daily report to the Warden and Surgeon all occurrences of importance in the hospital, such as want of repairs, the misconduct of any prisoner, any irregularity in the supply or quality of provisions, &c.

124. He shall be responsible for the safe custody of all provisions or medical comforts provided for the hospital, and of all medicines, bedding, necessaries, &c., committed to his charge, keeping inventories of the same, and he shall render such account of them as may from time to time be required.

125. He shall not issue any drugs or other articles without written directions from the medical officer, except in cases of emergency. He shall not upon any pretence bring wine or spirits into the hospital for his own use, or unauthorized books or papers.

126. He shall conform to all orders and regulations.

127. The Hospital Guard shall take charge of the library and issue the books for the prisoners' use, under such orders and regulations as may be issued by the Warden.

128. In the event of his time not being fully occupied in the discharge of the duties hereinbefore stated, he shall be liable to the performance of such duties as the Warden may order.

129. He shall attend the evening "count" with the other guards.

XIII.

SPECIAL RULES FOR GUARDS.

130. Guards will under no circumstances leave the prison without permission from the Warden or Chief Guard, but hold themselves in readiness for active service, night and day.

131. The first and most important duty of a guard is, at all times, to maintain the safe custody of the prisoners, and should prisoners attempt to escape, the laws of the Province justify the shooting of such, as of any persons who may be assisting in such attempt, if such action is found necessary in order to prevent the escape. Except in extreme cases, offenders should be distinctly warned of the consequences before shooting is resorted to.

132. Wall Guards are required to pace their beats while on duty with rifle in hand, only stopping for rest MIDWAY OF THEIR BEAT AND WITHOUT SITTING.

133. Guards while on duty are strictly prohibited from smoking, and from reading books, papers, letters or communications of any kind and from conversing with any person, except as the nature of their duties may require.

134. Guards must keep their arms and accoutrements clean and in perfect order, constantly ready for use, and neither cut, mark, nor deface them in any manner. Wilful or careless loss, destruction, or damage to the arms will be charged to them, and they will be required to pay for the same.

135. Guards or employees must never leave their posts or duty assigned them, until relieved by proper authority, and guards, when relieved, will report at the guard-room, and remain in readiness for duty after sergeant's return, until permanently dismissed.

136. The guards will require on the part of the prisoners such strict compliance with such rules of the Prison as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

137. The Chief Guard and Deputy Guard are held strictly accountable for the management of all ARMED GUARDS, their arms, accoutrements, and everything pertaining to their several duties. A willing and cheerful obedience to them is expected in whatever they may direct.

138. It shall be the duty of the Night Guard in the corridors, during the night, to keep patrolling round the block of cells, and upon the galleries, with worsted slippers on, noiselessly, that he may be able to detect and suppress any unnecessary violation of the required silence, and it is strictly enjoined upon him not to suffer the prisoners to speak, except to make known to him their immediate wants.

139. Guards are to be at all times properly shaved and dressed, neat and clean in their persons, and properly equipped.

140. All duties are to be conducted in a quiet and determined manner, and boisterous tones in talking, whistling, or singing in the guard-room and other parts of the prison are strictly prohibited.

141. Discussions or disputes of any nature, as to politics or anything else, within the prison premises, are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

142. Guards are expected to be courteous and respectful towards each other, never using improper language, and always exhibiting a proper and respectable deportment, and they are to abstain from the expression of any political or religious opinion calculated to give offence.

143. Guards will be respectful in their manners, and courteous in their language to all officials, or strangers, visiting the prison under the proper authority.

144. Lights are to be out in the guard-room at 9.30 p.m., at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially granted an extension of time for the evening.

145. Guards, when off duty will not be permitted to wear their uniform, but will wear plain clothes.

146. The uniform clothing is to be kept in good repair at the Guard's own expense, except when torn in the execution of duty. The uniform is not to be the property of the Guard at any time, but is merely for his official use whilst an officer of the Central Prison.

147. Guards are directed not to use as topics of conversation at any time and in any place, the incidents occurring in the performance of their several duties, in regard to the prison or prisoners, or their own or others' sphere of duty in the prison.

148. Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison must conduct themselves in a quiet and orderly manner. Loud talking, laughing, and personal allusions to prisoners by pointing or otherwise, are strictly prohibited.

149. Two guards shall every night (at 7 p.m. in winter, and 8 p.m. in summer), visit all the workshops, engine rooms, and cellars upon the premises where fire has been used during the day and search thoroughly for any sign or indication of fire, and shall report to the Warden and Chief Guard the slightest want of care that may there be discovered. These officers are not to handle, touch or disturb any of the tools or machinery or other property of the contractors.

150. Guards are constantly to keep in mind that it is required of them to prevent any prisoner making his escape AT ALL HAZARDS.

151. All guards sent on escort duty shall wear their belts and pistols outside their tunics.

152. Guards taken ill shall immediately report themselves to the Chief Guard, who will send them to the Surgeon and ascertain the cause of their illness, and report such to the Warden.

153. On guards being taken ill off duty, and unable to report themselves as usual for duty, they shall despatch without delay a written report to that effect to the Chief Guard, the latter sending the report to the Medical Officer who shall attend the Guard's residence and report his case to the Warden.

154. The Corridor Night Guards shall be armed.

155. It shall be the duty of each Corridor Night Guard, immediately on his coming on duty to carefully examine the door of each cell and see that it is secure and not tampered with. The grated doors leading from the guard-room and dining-hall into the corridors, are to be closed and locked on the night guards mount on duty.

156. The night guards are ordered to search and patrol every gallery in their respective corridors continuously. The patrolling of a gallery means not simply walking along it, but walking along noiselessly, slowly observing the cell doors on passing, stopping frequently and listening in the event of any noise, such as *filing bars*, or other indications of attempts to escape betraying themselves. Upon inspection of the cell doors on a night guard coming on duty he shall see that a prisoner is in the cell, satisfying *himself that what he sees is a real living* person.

157. A book shall be kept in each corridor during the night-time, to be designated "The Night Patrol Report Book," in which the night guards shall register the incidents that occur during their period of night duty, the time they mount and the hour they are relieved, the hours that they are visited, and the degree of heat every two hours as registered by the thermometer. These books to be laid in the Warden's office for his inspection every morning by the Chief Guard.

158. The "tell-tale" clock is to be checked by the night guard every hour, and every time the clock is checked, the guards shall proceed to the dining-hall grated gates, which face each other and wait until they see each other, and signal "all right" or otherwise. In the event of a guard not appearing and signalling within ten minutes of the proper time, the guard waiting shall instantly repair to the guard room, arouse the officer and procure the keys. Should the guard not answering in time be unable to account for his absence satisfactorily it shall constitute a breach of prison discipline, and shall be treated accordingly; and if a guard is disabled by an escaped prisoner the escape will, by the observance of this rule, be soon discovered.

159. All property in the possession of prisoners on their arrival at the Central Prison, shall be registered in a book kept for that purpose at the time their description is registered commencing with the prisoner's No. and name, then description of property, and lastly the

condition of their clothes, specifying whether in good condition or the contrary; this is to be signed by the prisoner, and witnessed by the Registering Prison Officer. Prisoners are on no account to be placed in cells without being examined and properly registered; their boots shall be invariably removed.

160. The wall guards are not to leave their posts from the hour of mounting, until the evening signal is sounded for their relief; their mid-day meals will be served to them in the towers, and extra vigilance is required of the wall guards during the prisoners' dinner hour. The wall guards are required to be vigilant and on the alert, and they are never to keep inside the towers unless forced in by stress of weather, when they must keep a sharp look-out through the windows of the towers. The wall guards are to be reminded that they hold the key to the safety of the officers and security of the prisoners; it is therefore essential that their attention should be concentrated upon the action of prisoners within their view, and especially those near the base of the walls.

161. The Guards and employees of the prison shall be particular in keeping their watches by the time of the guard-room clock, as the small entrance door shall be closed and locked at 10 p.m., according to prison time, and not opened for the admission of any official after that hour.

162. No person will be admitted into the prison after 6 p.m., and after 4 p.m. on Saturday, and no person shall have admittance on Sundays, Clergyman excepted, unless accompanied by the Inspector of Prisons, who shall have access at all times.

163. No person shall be admitted without a pass, previously countersigned by the Chief Guard or Deputy Chief Guard.

164. The north entrance gates, centre building, are to be only used for admission of stores for prison use.

165. In the event of an officer being suspended or dismissed, he shall not be permitted to enter the prison premises.

XIV.

RULES FOR SHOP GUARDS.

166. Shop Guards shall under no circumstances leave the prison without permission, but must hold themselves in readiness for active service both day and night.

167. Shop Guards are required to be promptly at the Cell House at the appointed hour in the morning, to receive their respective gangs, and from that time until the prisoners are again locked in their cells, they will be held strictly responsible for the conduct and safe custody of their entire gang.

168. The duties of the Guards should be understood to be separate and distinct from those of Foremen for Contractors, and the Guards will not interfere with or attempt to instruct the prisoners in the manner in which they shall work or on what particular part they shall labour or on what amount of work they shall perform; but they shall listen to all reports the foremen may desire to make, and dispose of the cases as they may have been informed.

169. It is desirable that the Guards should understand that their success in controlling prisoners depends very much on their own deportment, and a sharp and close observation of all that occurs around them.

170. Shop Guards will require on the part of the prisoners a strict compliance with such rules of the Institution as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

171. All Guards while on duty are strictly prohibited from smoking and from reading books, papers, letters, or communications of any kind, and from conversing with any person, except as the nature of their duties may require.

172. Shop Guards in charge of convicts at work, shall not allow their prisoners to make any enquiries relative to any subjects not immediately connected with their duty, employment or wants, or to speak or hold any conversation with each other or to leave their work without permission, or to speak to or gaze at visitors, but shall see that they are constantly employed and that they labour diligently in order and in silence.

XV

PRISON GATE GUARD.

173 The Gate Guard shall allow no team or person unaccompanied by the Inspector of Prisons, the Warden or Chief Guard to pass in or out of the prison yard, except such persons whose names shall be placed from time to time upon a list signed by the Warden and in possession of the Prison Gate Guard and persons being at such times engaged in the performance of their duties as officers or employees in connection with the prison works, except any person be in possession of a pass in writing, signed by the Inspector of Prisons, the Warden or Chief Guard, and he will take up all passes as the holder leaves the yard, and return them daily to the Warden's office. He will examine all teams passing in and out, and see that nothing is concealed.

174. He shall have charge of the keys of the gate and shall unlock it in the morning for the admittance of the officers and employees, and such persons who are authorized to enter, and lock them for the night at such hour as the Warden shall from time to time direct. He shall not leave his post from the time he mounts duty to the hour of relief.

175. The Gate Guard shall not allow any officer or employee attached to the prison to pass through the gate during the hours of duty without the authority of the Warden.

176. The Guard shall keep a list of all employees residing in the prison who shall go out on leave, in order to know if they enter at the proper time.

177 In case of doubt as to an order for admission into the prison being genuine or properly obtained, the Gate Guard shall apply to the Warden or Chief Guard, before allowing admission. He shall be watchful to prevent escape, and he shall be watchful to observe closely the appearance of workmen, visitors, &c. passing out through the gate in order that he may detect any attempt on the part of a prisoner to escape in disguise.

178. The Gate Guard shall only admit to the prison yard, vehicles which have loads for the use of the Works or Prison, cabs, carriages, &c., must remain outside.

179. The Gate Guard shall be armed, and his hours of duty shall be the same as those of the Wall Guards.

XVI.

GENERAL RULES FOR THE GOVERNMENT OF GUARDS AND OTHER EMPLOYEES.

180 All persons in taking upon, or retaining any position as an employee of this prison, must do so with the full understanding that they are to lend a prompt, willing and positive obedience to the rules of the prison, and the instructions of its officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned, and all who cannot do so cheerfully must not accept nor expect to retain any position here.

181 Any employee desiring to leave the service of the prison will be required to give thirty days' notice of his intention to do so, otherwise all pay due will be forfeited.

182. All employees who are subordinate to the Chief Guard will be required to report to him and he shall keep their time and send in the time book to the Accountant.

183. No employee will be allowed to absent himself from duty under any circumstances, without permission from the Warden or Chief Guard.

184. Employees are strictly prohibited from taking newspapers, books, or other reading matter inside the walls or cell houses, AND ARE ABSOLUTELY PROHIBITED FROM LEAVING ANY OUTSIDE CLOTHING INSIDE OF THE YARD OR CELL-HOUSES.

185. Employees are strictly prohibited from talking with prisoners at any time, except as the nature of their duties may require, and all familiarity between employees and prisoners is absolutely prohibited.

186 Employees are prohibited from selling to, or buying anything from, a prisoner, or giving to or receiving from them anything in the nature of a gift or present, or conveying to or from them any message, either written or verbal. Any ministers or other religious instructors, or Sunday School teachers, permitted to attend the prison, shall not receive from or confer any present upon the prisoners, or become the medium of communication between them and their friends or others, and they shall conform to the rules and regulations adopted

for the government of the prison; any infringement or departure from which rule shall debar them from future intercourse with the prisoners.

187. Employees will be required to pay for the wilful or careless destruction, loss, waste, or damage by them, of any property of the prison.

188. Employees are prohibited from using profane, indecent, obscene or insulting language towards prisoners and it is especially desirable that they should refrain at all times from the use of such language in or about the prison.

189. All employees are prohibited from discussing within the limits of the prison, the manner in which any officer or employee performs his duty, and from making any remarks which might tend to reflect upon the character or management of such officer or employee. They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or other similar Institutions.

190. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intoxication will mean dismissal and will never be overlooked.

191. Employees will refrain from visiting the shops or yard while off duty, and from receiving visits from friends while on duty.

192. Employees are prohibited from replying in like terms to what they may consider to be impudent or insulting language on the part of a prisoner. Their duty is to report each infraction of discipline.

193. Employees are prohibited from passing in and out of the gates except when official duties render it necessary for them to do so.

194. Employees are strictly prohibited at all times from smoking inside the walls or outhouses.

195. No officer or employee shall directly or indirectly have any interest in any contract or agreement with reference to any supplies to the prison, nor shall he receive directly or indirectly, under any pretence whatever, any fee or gratuity, or present from any contractor or person tendering for supplies, nor from any prisoner or prisoner's friend, nor from any person visiting the prison.

196. All wrangling and disputes upon points of duty between the officers of the prison are strictly prohibited; questions of this kind must be referred to the Warden, and all complaints rendered in writing to him; such complaint must be rendered within twelve hours of the occurrence complained of, or it will not be received, and if it should be found that the complaint is [illegible] or [illegible], or arises from a spirit of malice or revenge, the complainant will render himself liable to dismissal. Officers and employees having any grievance connected with their duties must state the same in writing for the Warden's consideration.

197. Every officer or employee who shall knowingly bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any prisoner any money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever, shall be at once dismissed and criminally prosecuted.

198. Any officer or employee who has been found guilty of an act of negligence, carelessness or insubordination, will be reported to the Inspector of Prisons, who has authority to impose a money fine, proportionate to the gravity of the offence, upon such officer or employee.

199. Any employee of the prison obtaining leave of absence shall leave the prison premises at the commencement of his leave, and not return until the expiration of his leave; should he return before, he shall be considered on duty from the time he returns.

200. All prisoners on their arrival at the Central Prison shall be handed over to the Receiving Officer detailed for that duty, and be by him marched to the Drying Room. They will then be stripped and washed, during which process all bodily marks are to be recorded; the whole of the clothing worn by them removed, and a prison suit furnished them, and care is to be taken that no opportunity is afforded to the prisoner to convey any article into his cell. Trinkets or money taken from the prisoner are to be handed over to the Chief Guard, who shall register the same in the "Prisoner's Property Book," the record to be read over to the prisoner, who shall sign for the same, and his signature is to be witnessed to by the Receiving Officer; a register of his clothing shall also be entered specifying whether it is in good condition or otherwise. After washing, the prisoner shall be examined by the Prison Surgeon. Any prisoner being found medically unfit for the prison labour is to be immediately re-

ported, in writing, by the Prison Surgeon to the Warden, in order that the information may be forwarded by him to the Inspector of Prisons. The prisoner's hair is to be cut short and his face shaved. Previous to his being marched to his cell, the prisoner's description is to be taken and registered in the "Entrance Examination Book." All property taken from any prisoner shall be made up in parcels and docketed with the name of the prisoner to whom the property belongs. After prisoners are received at the prison, the rules relating to the conduct of prisoners, their treatment, and that which affects the prisoner as to his present and future conduct shall be read over to him by the Chief Guard.

201. The Guard Room is for the exclusive use of the discipline officers of the prison. It consists of an associated dormitory for the Guards, the Chief Guard's Room, the Deputy Chief Guard's and the Guard's Mess Room. Silence and decorum shall be preserved in the Guard Room. Conversing in a loud tone of voice is strictly forbidden.

XVII.

ROUTINE OF DUTY.

202. All Guards will parade and report themselves daily for duty to the Chief Guard at a quarter to six o'clock in the morning.

203. At a signal from the Chief Guard, the Shop Guards will take their keys and proceed to their respective galleries and unlock the cells; the other Guards taking up such positions in the corridors as the Chief Guard may direct, where, by their presence and watchfulness, they shall endeavour to prevent any communication between the prisoners, and other improper conduct on their part.

204. At the next signal the prisoners shall all step out of their cells, and move off in file down stairs to the ground floor, where they will form up in columns of galleries. On their return to their cells, each prisoner will take up his breakfast ration and proceed to his cell and stand with his left hand on the gate till the first gong is sounded; he will then step inside, closing the door up to the lock, but not fastening it; on the second gong signal all doors shall be pulled home, and the crank immediately put up, the Balcony Guards remaining at their posts until this is done. The guards will then form in line, and report to the Chief Guard that their respective galleries are correct or otherwise.

205. If the number is correct, upon a signal from the Chief Guard the guards will break off and go to their breakfast, with the exception of one who will remain to patrol the corridors.

206. At 6.45, a.m. each working day the guards will again assemble, and on a signal from the Chief Guard will unlock their cells as before, form their prisoners in line, and march them with their night buckets to the "bucket stand" returning to the parade ground opposite the dining hall door where they will form up in column of galleries, ready to be formed into working parties, under the personal supervision of the Chief Guard.

207. Prisoners shall continue at their work until the whistle sounds at 12 o'clock noon, when the gangs will be formed in close file outside, and well clear of their shops, in the order in which they are arranged in their cells, and be marched into the dining hall, each guard giving his count in writing to the Chief Guard as they are marched in. The prisoners will remain standing until the gong sounds when they will take their seats and proceed with their dinner. Half the guards will then proceed to dinner for which twenty minutes shall be allowed, after which they shall relieve the other half. At ten minutes to 1 o'clock the prisoners will be moved out to their respective shops, each gang rising on a signal from its guard, who will hold up his right hand, and then march off his squad without word of command.

208. At the 6 o'clock whistle to "cease work" the gangs will again form up in close file as at midday and be marched to the bucket stand where each prisoner will take up his night bucket, and carry it on his left arm, using his right hand to take up his evening meal, and proceed to his cell, place the bucket and supper inside, and stand facing his cell as in the morning; the first and second sound of the gong being always the signal for his entering and closing the cell door. He will then stand inside his cell with his right hand grasping the grated gate while the gates are being doubly locked and the "counts"

are being made. The guards in double locking, shall see that each prisoner "stands to his front," with the right hand grasping the grated door of his cell.

209. The wall and gate guards will remain at their posts till the second signal whistle is sounded; until this sounds, the security of all the prisoners is in abeyance, and should the second whistle be delayed, the wall guards will at once understand that there is a prisoner missing, and be on the alert accordingly.

210. Upon "Counts" being taken previous to marching in, the gangs are to fall in outside, and well clear of their workshops, and the "Count" is to be taken from front to rear. In marching off, the guard's place is in a line with the rear file, and whilst marching the prisoners' faces are to be turned, and heads inclined towards the flank that the guard is on.

XVIII.

Rules for Contractors' Foremen.

211. The chief duty of the Contractors' Foremen is to instruct and direct prisoners in that particular branch of the business to which they are assigned, and to do so in a mild, but firm and dignified manner.

212. Foremen are not required for the purpose of governing or disciplining prisoners, therefore it is not necessary that they should use force or threatening language in the discharge of their duties, and the use of such is strictly prohibited, except, of course, in case of self-defence, in defence of others, or to preserve the peace of the prison and maintain the safe custody of the prisoners.

213. When prisoners wilfully fail to carry out the instructions of a foreman, or use threatening, defiant or impudent language, or commit any other act endangering the peace and good discipline of the Institution, it shall be the duty of the foreman to immediately report the same to the guard in charge.

214. All foremen must be promptly at their respective shops, at least ten minutes before the hour fixed for prisoners to commence work, and will be required to remain there during working hours, and make a thorough examination of their premises personally (after the prisoners have left), at noon and night.

215. All officers, foremen, instructors, or other employees of the Contractors who may, under the regulations, be permitted to enter the Prison workshops or yard, must strictly conform to all rules and regulations laid down for the guidance of Guards or employees of the prison, and any infraction of such rules and regulations by the employees of Contractors will be promptly dealt with.

216. A copy of these rules is furnished each employee, and they are to be enforced on all occasions.

XIX.

Rules for Prisoners.

217. The following rules shall be observed by prisoners:—

(1.) The first duty of the prisoner is strict obedience, and it will be to his interest to obey all rules and regulations.

(2.) On entering the Prison strict silence must be observed. No conversation between prisoners is allowed, except by permission of the officer under whose charge they may be.

(3.) The prisoner must not speak to any visitor, give to or receive from them anything without the permission of the Warden or Chief Guard.

(4.) Prisoners must not leave the ranks or their place of employment without permission. If sick, or unable to work, they must make it known to the officer in charge, and act as he may direct.

(5.) Prisoners must approach an officer in a respectful manner—always touching his cap or forehead before speaking. He must be prompt in taking his place in line, march lock-step with his right hand upon the shoulder of the man in advance, incline his face toward the officer, and attend to and promptly obey his orders. Prisoners passing through the yard must walk in file, never abreast.

(6.) On reaching the cells, prisoners will stand at ease with their left hand on the door. At a given signal will step in, close the door up to the lock, keeping hold until the second signal is given, when they will close it altogether, remaining with their hand upon the door until the bar is closed and the count is made. In case of miscount, he will resume his position at the door until the count is correct.

(7.) He must keep his cell and furniture clean and in good order. No marking or scratching the walls, nor spitting upon the floor, will be allowed. At the sounding of the 9 o'clock gong, P.M., all prisoners must put out their lights, undress and retire.

(8.) At the sounding of the morning gong, he must turn out, dress, make up his bed neatly, and be ready for marching out. At the signal, he must open the door, step out, and stand erect until ordered to march.

(9.) No prisoners will be allowed to stare idly at visitors or strangers passing through the Prison, neither will they be allowed to make any alteration in their clothing or the furniture of their cells.

(10.) All prisoners are required to attend religious services on Sunday, unless sick or excused by the Warden or Chief Guard. In Chapel silence must be observed. No reading will be allowed, and strict attention must be given to the service. Spitting upon the floor, shuffling of the feet, or any unnecessary noise is strictly forbidden.

(11.) Insolence in any form will not be tolerated. No smoking by prisoners is allowed on the prison premises.

(12.) Prisoners will be required to bathe once a week in summer, and once in two weeks in winter, unless excused by the Physician, Warden, or Chief Guard.

(13.) Every prisoner shall have permission to write to his friends once in four weeks. In case of necessity for special letters, permission must be obtained from the Warden or Chief Guard. All letters written or received must first be examined at the office, under the direction of the Warden, before being sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or to receive letters and visits from friends, or books from the library, is dependent upon general good conduct, and obedience to rules.

(14.) The use of books and all reading matter may be suspended by the Warden for violation of rules.

(15.) Prisoners must apply by letter to their friends or relatives, for money to take them home, a month prior to the expiration of their sentence.

(16.) Prisoners shall be required to labour diligently during those hours detailed for work, and in marching to and from their cells they shall observe such order as may be directed by the Warden; they shall be required to communicate with their Guards in a respectful manner, and with the greatest brevity; they must conduct themselves with perfect order and in strict obedience to the direction of their officer.

(17.) Each prisoner shall have a Bible in his cell, a hymn book, and may take such lessons and books as shall be approved of, and furnished to him.

(18.) Punishment will be resorted to as rarely as necessity will admit; the regulations of the prison are, nevertheless, to be observed and maintained inviolate, and all infractions thereof, or any resistance to the lawful commands and authority of the officers, shall subject the offenders to solitary confinement, and to be placed in irons at the discretion of the Warden; and the Warden is authorized to employ and permit the use of weapons by the Prison Guards, to put down insurrections by force, and to prevent escape at all hazards from the prison.

(19.) No visitor will be permitted inside the prison unless accompanied by a Prison Guard.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO.
TORONTO, 11th June, 1879.

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that a prisoner named Michael Clancy escaped from the Central Prison, Toronto, on the 16th May at 11.45, a.m., by placing a plank against the rear wall of the yard, by which means he effected his escape. I have examined into the circumstances with this escape, and find, that if the instructions that I gave, that at all times when prisoners were in the yards, the wall guards must be on duty, had been strictly adhered to, the attempt to escape would in all probability never have been made. The escape therefore, in my opinion, was attributable to the fact, that the wall guards were allowed to go to dinner before the prisoners were counted in to dinner. The Warden has forwarded me a copy of an order issued immediately after the escape took place, which if attended to, should prevent escapes in the same manner.

On the first instant, two prisoners escaped by entering the tunnel drain running through the front grounds of the prison, where a gang of prisoners were employed in improving and ornamenting the grounds. The gang was under the supervision of five guards at the time.

I consider that the guards were guilty of neglect in allowing the escape to be successful, and the Warden should not have allowed prisoners who were sentenced to long periods, to have been taken into the front grounds. The names of the prisoners who thus effected their escape were Robert Purcell and Robert McCulloch, the former having an unexpired period of about five months to run, and the latter having a period of about one year and a quarter to run.

I have instructed the Warden not to take prisoners to work outside the prison walls, who have more than three months of their sentence to fill, and only then, under the most rigid supervision.

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector

To the Honourable,
The Provincial Secretary

PROVINCIAL SECRETARY'S OFFICE, ONTARIO.
TORONTO, 17th June, 1878.

SIR,—Referring to your letter of the 11th inst., with reference to certain escapes of prisoners from the Central Prison, I am to direct you to institute an inquiry into all the particulars so as to ascertain to whose neglect any of such escapes is to be attributed. Your inquiry will be specific, in order that such guards or other officials, to whom neglect is attributable, may fully understand the reason for whatever subsequent action the circumstances may call for.

I have the honour to be, Sir
Your obedient servant,
I. R. ECKART,
Assistant Secretary.

Mr. Inspector Langmuir
Toronto.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, 20th June, 1878.

SIR,—In obedience with instructions contained in the communication of the Provincial Secretary, of the 17th inst. I visited the Central Prison, yesterday for the purpose of making a more specific inquiry than that already instituted and reported upon, into the escape of two prisoners from the Central Prison grounds, on the 21st ult. that the officers who were guilty of neglect or carelessness may be dealt with as the Government may direct. I commenced, at the same time, into the circumstances connected with the escape of three prisoners named Deacon, Wylie, and Cunningham, from the field attached to the prison for garden purposes, on the 21st inst., making five prisoners which have escaped from the prison grounds within three weeks, only one of whom, up to the present time has been recaptured.

The circumstances and facts connected with the escape from the front grounds on the 31st ult., are as follows:—About forty prisoners were selected to work on the front grounds in draining, levelling, and macadamizing. These prisoners were divided into three gangs under three regular and two supernumerary guards, as follows:—Guard William Gifford, had charge of 10 prisoners, Guard William Johns, assisted by supernumerary Guard Wall, had charge of 14 prisoners, and Guard Frederick Hill, assisted by supernumerary Guard Henry Langman, had charge of 20 prisoners. The prisoners were selected by Chief Guard Beaumont, and the gangs and the guards were being generally supervised by Deputy Chief Guard Stedman. The duties of these guards appeared to be sufficiently well defined by the Warden, and understood by the guards, viz., that each guard was to be responsible for the safe custody of the squad under him, and in the event of any emergency all were conjointly to act for the safe keeping of all the prisoners. It appeared, however, that Deputy Stedman had other duties to perform besides supervising the work referred to, and sometimes was called away to attend to them.

The tunnel drain through which the prisoners escaped is of sufficient diameter to admit a man. Commencing at the Grand Trunk Railway it runs into the prison grounds about 200 yards, with an opening at each end.

The danger of this drain, as a means of escape, was fully known to the Warden and the guards, and the work of putting in a covered box drain, from the opening in the grounds to the point where it intersected with another drain, was about to commence. The prisoners comprising the gangs were all counted at one o'clock, p.m., on coming out from dinner, and found correct. The gang in charge of Guard Gifford was placed at work north of the drain opening; that in charge of Johns, north-east, and that in charge of Hill, south of the drain opening; and [illegible] two o'clock, the guard in charge of the [illegible] on the Grand Trunk Railway gave the alarm that two prisoners had escaped through the drain, but though pursuit was made by some of the guards, the escaped prisoners were never seen by them. What time between one and two o'clock the escaped prisoners entered the drain is unknown. The conclusions I have arrived at, after a careful examination into all the circumstances, are:—

1st. That the Warden erred in judgment—

1. In sending too great a number of prisoners out into the grounds to work.

2. In not personally examining the rolls to see that no long-date prisoners were allowed to get into the out-door gangs, instead of leaving such important work to the Chief Guard.

3. That he did not arrange to have the Chief or Deputy Chief Guard constantly present with such a large number of prisoners and guards.

2nd. To neglect, on the part of the Warden, in not having the mouth of the drain staked, or partially stopped up, when his attention was called to the danger connected with it.

3rd. To disobedience of orders on the part of supernumerary Guard Langman, who left only for a short time between one and two, without reporting or obtaining leave. This guard has since been dismissed for drunkenness.

4th. To neglect of duty on the part of Guard Frederick Hill, in not keeping a proper watch over the prisoners committed to his care, in not frequently counting them to assure himself of their presence in the gang, particularly as he was aware that the drain might be used as a means of escape, and in not noticing that the wheelbarrows which the escaped prisoners had been working with were lying idle.

I have to state, that for this neglect on the part of Guard Hill, I have caused him to be suspended from duty, pending your decision upon the matter now reported upon.

Respecting the escape of the three prisoners from the field attached to the prison, on the 21st instant, I have to report as follows:—The prisoners, Wylie, Deacon, and Cunningham, were part of a gang of nine prisoners, under the charge of Guard Mansell, who has made the following statement:—

"I am the guard in charge of the garden gang, Central Prison; the gang consisted of nine men. About 4 20, p.m., on the 21st June, the three prisoners, Deacon, Cunningham, and Wylie, were at the further end of the nine acre field, engaged in planting potatoes, and I told them I should require them in about five minutes to go on with the rest, in watering newly planted cabbages. I collected the rest of the gang, and sent them down to go on with watering the cabbage patch; was *nearly three hundred yards away from the three prisoners planting potatoes*. I followed the prisoners to the cabbages, and was engaged from five to ten minutes telling them in what way to water them. I then proceeded to bring in the other three at the potato patch, when I observed they were not in the field. I immediately gave the alarm, and after getting the remainder of my gang into the prison, started in pursuit. Prisoner Deacon had been working under me in the field for two months; prisoner Cunningham has been with me since last summer, and out with me when I was in charge of prisoners working outside; prisoner Wylie had been in the garden for a month. The working of a place of ground of the dimensions of the prison field necessitates the scattering of prisoners, the different kinds of vegetation requiring each daily labour in their culture.

"Wm. Mansell,
Guard."

I am of the opinion that these three escapes were attributable,

1st. To a serious error in judgment on the part of the Warden in allowing nine prisoners to be taken out into the field to work in charge of only one guard, although armed with a pistol, for it is obvious that if eight of the nine prisoners had run away, it would have been the guard's duty to remain in charge of the only remaining one until he was relieved, or had brought him back to prison. There should have been at least two guards, one of whom should have been armed with a rifle.

2nd. To the placing of too much confidence in the prisoners he had charge of by guard Mansell, as shown by his own statement, through which mistake he lost control over at least three of the prisoners committed to his care.

For this mistake on the part of Guard Mansell, I have caused him to be suspended from duty until I am further instructed. I have also instructed the Warden of the prison not to take any more prisoners out to work in the grounds beyond the prison walls, except to the garden, and then only prisoners selected personally by himself and under the charge of not less than two guards, one of whom shall be armed with a loaded rifle.

I have the honour to be,
Sir
Your obedient Servant,
J. W. Langmuir,
Inspector

The Hon. the Provincial Secretary,
Toronto.

Provincial Secretary's Office, Ontario.
Toronto 7th July 1878

Sir,—With further reference to the correspondence respecting the escape of two prisoners on the 31st of May last from the Central Prison I am now directed to say that, the matter having been referred to the Hon. the Treasurer the conclusions set forth in your Report of the 30th June have been approved of by him. I am further to intimate that the neglect on the part of the guard, Frederick Hill should be visited with a reduction of a week's pay to serve as a caution against his being again found guilty of a similar neglect. With respect to the escape of three prisoners on the 31st June last, the Treasurer coincides in the conclusion of your Report. The guard Mansell, appears to have been sufficiently punished by his suspension from duty, which he may now be ordered to resume, but pay for the period of his suspension having been forfeited. You will be good enough to intimate officially the purport of the above to the Warden.

I have the honour to be,
Sir,
Your obedient servant,
L. R. Bokane,
Assistant Secretary.

J. W. Langmuir,
Inspector &c.,
Toronto.

EXTRACTS

From the Report of the Inspector of Prisons for the year 1876, in relation to the foregoing matters.

"When it is considered that a very large proportion of these prisoners are habitual offenders of the petty order, who have for many years been oscillating between one Gaol and another in the Province, and not a few of whom have been committed to the Central Prison two or three times already, I cannot but think that the periods of sentence, as indicated in the above summary, are much too short for the accomplishment of the objects aimed at in the establishment of this Prison. There is a class of offenders, the frequency of whose offences against law and order renders them pests to society, and whom, after their third commitment to a Gaol, it would be much better to send to the Central Prison for the full term that the law allows, than for two or three short periods every two years or less. The civil condition of this class of prisoners—three-fourths of whom are unmarried—points to the fact that protracted incarceration would involve little or no hardship to families dependent upon them for a living. On the contrary, but for the humiliation thereby caused to relatives, their enforced absence from the family relations would, in most instances, be a relief not only to their friends but to the community.

"The fact that 441 of the 637 prisoners who were committed during the past year were, from their own admissions, of intemperate habits, affords additional evidence of the correctness of this conclusion.

"The mistaken leniency of awarding short periods of imprisonment to this class, is not only demonstrated by the very serious charge that their repeated trials cast the Province, but also by the persistency with which they return to their evil courses. No sooner is the dilapidated physical condition of these habitual offenders rehabilitated by the healthy regimen of a prison, and the enforced suspension of dissolute habits, than they are set free only to return in a short time for a repetition of the same kind of treatment. Apart from the mistaken leniency of short sentences in such cases, both from a moral and social standpoint, it is not fair to the Province which, at a great cost, has established an industrial Prison, that just as soon as this class of prisoners are restored to such a bodily condition to perform hard labour in the prison, their sentences expire and they are discharged. For this class of offenders, constituting about one-third of the commitments to the Central Prison, it is most desirable that cumulative sentences be given until they reach the period of two years.

"Although this Prison was largely designed for the class of prisoners I have been speaking of, still, an examination of the table of offences will show that if this establishment had not been in existence, the crimes of many of the prisoners who were committed to it were of sufficient enormity to have consigned them to the Penitentiary. It would appear that 36 were convicted of burglary, robbery and kindred offences, 13 of cattle stealing, 11 of forgery, embezzlement, &c., 14 of assault with intent to rape, 34 of aggravated assault, while no less than 203 were convicted of larceny in its various degrees. Many of these prisoners were hardened criminals who had expiated sentences for previous crimes, in the Penitentiaries of Canada and the United States. These two classes of prisoners—the petty but chronic offender against law and order, and the old habitué of many penitentiaries, are, of all others, the most difficult to deal with. In this connection I may now refer to the system of

DISCIPLINE

that prevails in the Central Prison. In recommending the establishment of the Prison, I pointed out in my Annual Reports of that period the many serious defects and deficiencies of our Common Gaol system, chief among which was the indiscriminate association of old and young, tried and untried, innocent and guilty. Not only were these classes of prisoners indiscriminately associated, but they were so kept in utter idleness, which, above all conditions, is the most fruitful source of vice and crime, and in old times, discipline and order were the exception instead of being the rule, in the government of these Gaols. It was to remedy these defects, and to supply the deficiencies in our Gaol system, that the Central Prison was founded. And in the administration of its affairs, keeping in view this object, I have no hesitation in saying that it is better to err on the side of rigid discipline than in a laxity of it, and with respect to the two classes of prisoners referred to that have to be dealt with, it will be apparent to all, that, so far as these criminals are concerned, the strictest kind of discipline becomes necessary.

"Admitting, as I do, that for the proper protection of society, the punishment of crime and the reformation of the criminal must be the ground-work of all effective systems of prison discipline, the very first step in the accomplishment of these objects is the entire subordination of the will of every prisoner to constituted authority. The lives of habitual offenders having been one continued revolt against law and order, with little or no subjugation of the will, or exercise of moral restraint, the very first lesson that these men have to learn on entering the Prison is implicit submission. Failing that, the application of reformatory measures to those of this class who are not beyond such influences must prove abortive—whilst deprivation of liberty only, to those who are, is no punishment whatever unless it be accompanied by strict prison discipline and enforced hard labour.

"The labour that has to be performed by the prisoners in the Central Prison is no harder than what honest mechanics or labourers outside of the Prison have to do, and the hours are the same as in ordinary shops and in labouring employments; the dietary being infinitely better than what a large majority of mechanics and labourers can supply themselves with by their honest exertions. Cleanliness, both in the persons of the prisoners and in every department of the Prison, together with the greatest promptness, punctuality and order in the performance of duty are strictly enforced.

"The rules and regulations in respect to these matters, and for regulating the general conduct of the prisoners, constitute the discipline of the Prison, and its enforcement neither involves harshness nor severity, unless a prisoner renders that treatment necessary through disobedience or insubordination. The discipline of the Prison, however, must be maintained, and the rules and regulations obeyed, otherwise

Disciplinary Punishment

must be resorted to. This consists, firstly, of deprivation of a meal or certain privileges; secondly, confinement in the dark cell on bread and water diet; and thirdly, confinement in the dark cell in irons. The latter punishment is administered by causing the refractory prisoner to be handcuffed to a ring in the wall about even with his head, the anklets being used to secure the legs to another ring in the floor. Physical pain is, of course, caused by the elevation of the hands and arms and the general fixity of the body, which, however does not prevent the prisoner from shifting his position and resting the head and shoulders against the wall. When it was found necessary to administer this kind of punishment for the first time, the prisoner is given to understand that its duration, after an hour or two, will depend upon himself. If he expresses contrition for the offence committed, he is at once taken out of irons. If a prisoner, however, has to be punished in this way more than once, he has to remain in irons for a fixed time, but if for a longer period than 24 hours he is taken down in the night and at his meals. This placing of a prisoner in irons is not resorted to except in cases of gross insubordination, or of continued disobedience of the rules.

"And here I may refer to certain charges, or rather insinuations, that were made, and which subsequently were formulated into charges against the Warden and the acting Chief Guard of the Prison, involving cruel treatment of the prisoners on the part of these officers. Although the examination into these charges of alleged cruelty took place after the close of the official year, it is but proper that the matter should be alluded to in this report.

It would seem that every instance of what was looked upon as cruelty was carefully noted by persons who had been dismissed from the prison service, and by certain others who were disaffected towards the rule of one or both of the officers alluded to. The acts of alleged cruelty extended from the opening of the Prison in June, 1874, up to the time of the investigation, but not in a single instance were they made known to me as Inspector either verbally or in writing, or as the evidence shows to the Warden. Whatever spirit may have animated the persons from whom the information was obtained, and however disingenuous its sources, it will under the circumstances, be readily understood that due prominence would be given to every case of the kind that might come under the notice of the Prisoners.

"The instances of alleged cruelty narrated by all the witnesses in their evidence, numbered twenty-three, and a careful analysis of each case shows that they may be here divided into seven distinct categories, to each of which I will refer as briefly as possible.

"1st. In six instances, prisoners while at drill or in marching order, and in three cases while at work, were tapped on the feet, legs, hands, or some other part of the body with a cane used by the Acting Chief Guard, in order to get them to keep step or for other slight causes. The evidence, however, pointed to the fact that this tapping—for it was nothing more—was very frequent for the first year after the opening of the Prison, and that it was not confined to the Acting Chief Guard, but was done more or less by nearly all the Guards. The practice having been noticed by the Warden, an order was issued, prohibiting it, which, from the evidence, it would seem, had the desired effect.

"2nd. In six cases, prisoners attempted to escape from the Prison by secreting themselves until the Guards should be withdrawn, which rendered it necessary to keep the Guards on duty and without sleep for sixty hours. When these prisoners were discovered, the Warden ordered that five of them should receive six stripes with a small cane, and the sixth a rope's ending. Three of these prisoners had been transferred from the Reformatory to the Central Prison, as being utterly incorrigible and beyond the reach of reformatory influences.

"3rd. In five instances, prisoners upon reporting themselves sick, were ordered by the Acting Chief Guard to return to their work, as he believed they were malingering—a practice which is of frequent occurrence, and that requires guarding against. In some of these cases the prisoners refused to go to work and were, in consequence, placed in the dark cell, and upon being examined by the Gaol Surgeon, the decision of the Chief Guard, in every instance except one, was sustained by the Surgeon, who pronounced the prisoners to be well and fit for work. The exception was a case of temporary faintness.

"4th. One night, at the close of 1875 or the beginning of 1876, a prisoner named Lewis became so noisy that he disturbed the entire dormitory, causing other prisoners to join in the noise. Upon reporting the case to the Warden, the Acting Chief Guard was instructed to place a wooden gag in the prisoner's mouth to keep him from shouting, and to handcuff his hands behind his back to keep him from breaking up the furniture of his cell. On going into the cell to carry out this instruction, the Chief Guard alleges that the prisoner attacked him with a piece of iron broken from his bedstead, upon which he disarmed the prisoner and beat him several times across the shoulders and hips with a key he had in his hand, after which the order of the Warden was carried out. The Turnkey who was present, states that he did not see Lewis attack the Chief Guard. It is possible that the attack may have been made without the Turnkey seeing it, but in corroboration of the Chief Guard's statement it was clearly proven that the iron bedstead and cell furniture were broken, and that the prisoner had broken off a large piece of the stone jamb of the cell door. It was stated by several witnesses that the prisoner had given evidence of insanity prior to this occurrence, and subsequent events proved that the surmise was correct; but on the other hand, the Prison Surgeon did not certify to insanity for a considerable time after it took place. Under any circumstances, there is no proper place or means for the care of lunatics in the Prison. The alleged cruelty, therefore, considering this fact, did not consist in the means taken to prevent the other prisoners from being disturbed, but in the charge, if true, that the prisoner was struck other than in self-defence.

5th. One prisoner was kept in irons for 72 hours without being taken down, except to his meals and other purposes of necessity, but it was clearly proven that he had been guilty of gross insubordination, threatening and insolence on that, as well as on many other occasions, and that he was a violent and dangerous man. From the statements of the Warden and Chief Guard, it just became a question whether the officers or the prisoner should be masters. From the date of that punishment, the prisoner became one of the best behaved men in the Prison.

"6th. The Acting Chief Guard was said to have knocked a prisoner's head against the wall until the blood came from his ears. This the Acting Chief Guard denies, and the Surgeon states that it is impossible that this could have been done without causing a fracture, which neither the Surgeon nor anyone else saw.

7th. Three prisoners were placed in irons for insubordination, and while in that position were exceedingly noisy and violent. Upon being visited by the Acting Chief Guard with a view to stopping the noise, and while the irons were being removed from them in order to take them to another cell, it was clearly proven that two of them used the vilest language to the officer mentioned, and one of them kicked him. Under this provocation the Acting Chief Guard struck them with his clenched fist. All of these prisoners were proven to be violent men, requiring frequent punishment.

"In the foregoing categories are comprised all the acts of cruelty that were brought to light, after a most patient investigation extending over two weeks; during which time every officer of the Prison was placed under oath and examined.

"To sum up in respect to these various charges, it would be absurd to designate what is referred to in the first and second categories as acts of cruelty, inasmuch as the same practices are being carried on every day in our Common Schools. They had, however, been stopped in the Central Prison a year prior to the investigation.

"With respect to what is comprised in the third category, it is clear that so long as prisoners will feign sickness, prison officers will now and then make a mistake in their decisions in that relation. In order, however, that such mistakes of judgment may be reduced to the minimum, the Prison Surgeon has been directed to visit the Prison every morning at nine o'clock, so that every case of sickness reported may be pronounced upon by the proper medical officer of the Prison.

"It is much to be regretted that such harsh measures had to be adopted in the case of Lewis, in order to prevent him from disturbing the dormitories at night and breaking the cell furniture; the more so as subsequent events proved that the prisoner must have been insane at the time. A short time previous to the occurrence, a prisoner had been transferred from the Prison to Rockwood Asylum under certificates of insanity, but after a very short observation on the part of the Medical Superintendent of that Asylum, he certified that the man was not and never had been insane, although afflicted with an ungovernable temper. I have recommended that some better provision be made for the custody of violent and refractory prisoners, and it is most desirable that, when the hospital is erected, a room should be provided for insane prisoners, pending their transfer to an asylum.

That part of the charge in respect to the Acting Chief Guard striking the prisoner Lewis, other than in [illegible], is reduced, as the statement shows, to a question of veracity between that officer and a witness.

"The class of prisoners referred to in the fifth category are found in all prisons, and although few in number, their stubborn and unyielding temper, and the pertinacity with which that spirit is maintained, even when they clearly know that they are in the wrong, constitute one of the most difficult problems that prison officers have to deal with. The punishment awarded in that particular case, severe as it had to be, had the desired effect, although in many prisons some of this class are almost constantly under punishment.

It was in dealing with the prisoners alluded to in the seventh category that the Acting Chief Guard committed serious indiscretions as a prison officer, but which, in the light of the facts related, cannot possibly be characterized as acts of cruelty. Under no circumstances, except in a clear and well-defined case of self-defence, should a prison official strike a prisoner. That the prisoners were beyond endurance, only showed the necessity and importance of the Guard controlling his own temper, and of using lawful means of punishment, which are always at his command.

Before closing my remarks in connection with this subject, I desire to say that I wish it were possible for the discipline of the Prison to be maintained without inflicting physical pain, and that moral suasion and kindly admonishment alone could accomplish that object; but so far as I am aware, both agencies are necessary in all well-regulated prisons. To well-behaved prisoners, however, and they comprise the large majority, there is no terror in the fact that dark cells and irons have to be resorted to, in order to keep the unruly and insubordinate under control.

"The severe check that the industrial operations of the Prison received through the failure of the Canada Car Company to carry out its original contract with the Government for the employment of the prisoners, has prevented me from inaugurating such a scheme of rewards and remissions of sentences as will tend to encourage and promote good conduct, and stimulate industrious habits on the part of the prisoners. Now, however, that the industrial success of the Prison bids fair to be permanently established, I trust that I will be warranted in submitting a scheme for the approval of the Government at an early day.

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RETURN

To an address of the Legislative Assembly to the Lieutenant-Governor praying that he will cause to be laid before the House copies of the Report made by the Provincial Secretary and the Inspector of Prisons, regarding the internal management of the Central Prison, as the result of any investigation by them, together with a copy of the evidence taken upon the investigation

By Command,

S. C. WOOD,
Secretary

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 16th, 1877

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO 30th December 1876.

MEMORANDUM.

The undersigned having investigated the charges made against Chief Guard Beaumont by the Warden of the Central Prison, finds that the suspension of the Chief Guard by the Warden and his subsequent dismissal were fully justified

S. C. WOOD,
Provincial Secretary.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 13th September 1876

The Complaint against Chief Guard.

SIR,—I have the honour to transmit to you for your information a communication addressed to me by Prison Guard Patrick Wall preferring various charges against Chief Guard Beaumont, and to inform you that with reference to the first subject of complaint I disposed of it as follows:—"That the Chief Guard was guilty of improper conduct, in obstructing the egress of Guard Wall from the prison on the Sunday in question he (the Chief Guard) having no power to do so, the guard not being on actual duty at the time. That the proper action of the Chief Guard should have been to have given Guard Wall his orders, and if they were not complied with, to have charged the guard before the Warden with "disobedience of orders."

With reference to the other charges preferred by Guard Wall, I declined to receive and entertain them, as the charges were not made within twenty-four hours of the occurrence complained of. I have further to add that prior to my taking up the matter the Chief Guard stated to me that Guard Wall *had expressed a desire to withdraw the complaint*; this of course I paid no attention to.

I have the honour to be,
Sir, your obedient servant,
W. S. PRINCE,
Warden.

To the Inspector of Prisons.

P. S.—Since writing the above, it has been reported to me that the Chief Guard sent for Guard Wall and asked him to withdraw his communication made to the Warden as it would ruin him in Toronto. Upon receiving this report I questioned Guard Wall as to whether it was correct or not. The guard in reply states to me that he was sent for to the office by the Chief Guard, and solicited by him to withdraw the letter, as the result would ruin him in Toronto. These proceedings on the part of a Chief Executive Officer of a prison and his subordinates, I think perfectly disgraceful and certainly tend to corroborate the assertion of Guard Wall—"That the Chief Guard's control over the guards is merely a nominal one—and that it cannot be expected that such a man can execute the authority of a Chief Guard."

W. S. PRINCE,
Warden.

CENTRAL PRISON,
Monday, 8th Sept., 1875.

To the Warden.

SIR,—I wish to bring to your notice the extraordinary conduct of Chief Guard Beaumont, on Sunday last, in detaining me as prisoner and prohibiting me from exercising the right to free egress from the building (when not on duty), which I consider myself entitled to both as guard and a freeman. I can see no par in our Regulations authorizing such conduct, and even if such authority existed I should imagine that while you were on the premises the proper course to adopt would be to first acquaint you, and then to act according to your instructions.

I also beg to inform you that the above conduct though strange, does not surprise me, as I had been for a considerable time expecting him to do something wonderful as to my knowledge and to the knowledge of every guard in the Prison (which can be testified upon oath) he is in a habitual state of drunkenness more or less; his control over the Guards at the present moment is merely a nominal one; if one of the guards be detailed for duty on Sunday and he does not like to do it, he goes to the Chief and says it is not my turn for duty; the detail is changed and another man put on. One instance—on Sunday last Guard Gifford was detailed, and subsequently Newton in his place; he does not report these things or in fact anything, as far as I can see, for he is in the power of every man in the institution; consequently it cannot be expected that such a man can exercise the authority of Chief Guard.

But when the Deputy Chief Guard warns a guard for duty, he knows he must do it; neither are there any practical jokes carried on; the reason being that the man is always sober and capable of giving and receiving orders. With reference to what I have stated concerning the habits of Mr. Beaumont, I can testify upon oath, and so can the guards in general.

I am, Sir,
Your obedient servant,
PATRICK WALL.

Re Charges against Chief Guard, Central Prison

Toronto Sept. 16, 1875

SIR,—I have the honor to inform you that it is my intention to investigate into charges of drunkenness and irregular conduct that have been preferred against you as Chief Guard of the Central Prison.

I have the honour to be Sir

Chief Guard Beaumont,
Central Prison

Your obedient Servant,
J. W. LANGMUIR,
Inspector

WARDEN'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 20th Sept. 1875

Minutes of an investigation held by the Inspector of Prisons, into certain charges preferred by guard Patrick Wall against Chief Guard Beaumont, commenced at the Central Prison, on the 20th September:—

PATRICK WALL being sworn deposed as follows:—I am a guard at the Central Prison was appointed as temporary guard on the 10th March 1875 and on the 5th of May was permanently confirmed in the position. On the 5th of September (Sunday), on going into the dormitory in the guard-room I found a lot of clothing, which I thought was placed there as a joke. I threw them into the yard through the window. A short time after the Chief Guard asked me if I had thrown them out, and asked me to go out and pick them up. I said I did and told him none of the other guards had the better right to do so. I then prepared to go out of the prison as I was not on prison duty, but on going to the grated door at the south, which is the proper way out, I found it locked and the Chief Guard informed me I could not go out. I then went back to the guard-room, and remained there until 3 p.m., when I went out into the town. I reported the matter to the Warden verbally on Monday and on Tuesday morning I sent in the written statement now produced and marked No. 1. With respect to the statements made in the paper in regard to the intemperate habits of Chief Guard Beaumont, I repeat the same now upon oath. I informed the Deputy-guard, Mr Uniacke, and the guards generally that I reported to the Warden my detention in the guard-room also in respect to the intemperate habits of Mr Beaumont. On Tuesday or Wednesday Guard Uniacke came to me and told me that Mr Beaumont wished me to withdraw the charges I had made against him in respect of his intemperate habits. I said to Uniacke that I did not care whether they were withdrawn or not, as it was the truth.

On the following morning after the conversation with Uniacke he (Uniacke) came again to me and said the Chief Guard wished to see me in the Warden's Office. I went to him, when he asked me what satisfaction it would give me to bring the charge of intemperance before the authorities, if even I could prove it? He said that as far as Toronto was concerned it would ruin himself and family. I told him that I had no apprehension as to the result of a trial, but if the Warden would permit, I had no objection to the withdrawal of the charge of intemperance. On the same evening the Warden sent for me and in the presence of Mr. Beaumont the charge of my detention in the guard-room was disposed of by the Warden, but the Warden expressed himself shocked in respect to the charge of intemperance preferred against the Chief Guard, and told me that the charges should have been made twelve hours after the occurrence.

I then came to the conclusion that the Warden believed that I had apprehension of the result of the charge of intemperance made against Beaumont, from the conclusion he arrived at, and from his statement that the charges should have been made within twelve hours after the occurrence.

The first week I was on night duty in the prison, during my temporary appointment, which was on the 25th of March, I saw the Chief Guard in the south corridor about 7 or 8 p.m., he spoke to me. I then suspected that he was under the influence of liquor. I asked him some questions as to the discharge of my night guard duty as he did not instruct me, and from his answers to me, I was convinced that he was intoxicated. Having asked him what I should do if I saw a prisoner coming out of his cell at night? he said, "Shoot him; put the six barrels into him." I had only a five-chambered pistol. I thought I had no right to shoot a prisoner under such circumstances, as there was a gong to warn and bring assistance; I also smelt liquor upon him. His articulation was changed.

On the 12th April, at 10.05 p.m., Beaumont visited Guard Somers while he was on night duty. I saw him through the grated door.

I saw an entry in Somers' night guard's report, saying, "Visited by Chief Guard at 10.5, drunk." The Deputy-chief Guard, so Somers told me, asked him to erase it. The same night, at about 9, I saw Beaumont, and he was then under the influence of liquor; I judged so from the same evidence as before stated.

On the 24th June it commenced to rain at 4.30 p.m., and the prisoners, who were breaking stone, were brought in and put into their cells without being counted, and the cells were not locked; neither of these duties were performed until six, p.m.

The Chief Guard was drunk that afternoon; Mr. Uniacke remarked the same thing to me; he talked very thick; the Deputy-chief was absent on leave of absence that day.

On the last week in August, Guards Eames and Dean both remarked to me that the Chief Guard was drunk, which I saw myself. Eames said, "By George, he is pretty full!" and Mr. Dean, "He has a good deal in him."

I have frequently seen him drunk on other occasions, but I have not the dates; I never saw him drink any liquor inside the prison; but Guard Uniacke told me that he had drank liquor with him, (Beaumont), upon the prison premises.

He said that somewhere about the scrap shed he found Beaumont drinking whiskey or liquor with some other guards. He said Beaumont offered some to him and he drank it. I have never with my own eyes seen Beaumont, or any other officer or guard drink liquor upon the prison premises.

With respect to my statement that Chief Guard Beaumont's control over the guards is now merely nominal I have many instances of it, viz., on the 22nd June, prisoners O'Hara, McAllister, Adams, Lee Bay and Campbell were reported by Guard Somers for laughing and talking; they could not have been reported to the Warden, as no punishment or reprimand followed.

On the same day Guards Hill and Watt reported M'Carty, Lynch, Lee, Slack, Sault, Kelly, Watts, Day, Collins, Williamson and Eyre for inattention at work and talking, but no punishment was awarded. On the 23rd June I reported prisoners Walton and McKenvery for laughing and talking at the dinner-table; they were not punished, and I have not seen prisoners since.

Acts are done in the guard-room, such as whistling, talking, dancing, etc., before Beaumont, which would not be done before Mr. Steadman; and from which I think that they, the guards don't care for him.

Certain guards can get off doing duty by simply telling Mr. Beaumont that other guards come before them, when it is really not the case. On the 2nd of May I went off night duty, when I was warned for Sunday corridor patrol, which is from 1 to 5 p.m. I performed the duty. This was prior to the issue of an order forbidding it. I have no evidence or proof that he (Beaumont), neglected to perform his duty in giving orders or carrying out orders to guards, for fear of offending such guards, but I have my opinion that he has.

P. WALL.

CAPTAIN PRINCE, Warden, sworn:—Chief Guard Beaumont informed me, before I investigated into the charges preferred against him by Guard Wall, that Wall had expressed to him a desire to withdraw the charges made against him; but I was not aware that the Chief Guard had, prior to that, been using influence upon Wall, as stated in his evidence, to have the charge withdrawn. As soon as I discovered that, I reported the matter to the Inspector.

W. S. PRINCE, *Warden.*

MAURICE UNIACKE, sworn:—I am guard in the Prison; have been so since its opening. I never told Guard Patrick Wall that I came upon Chief Guard Beaumont drinking liquor with a guard or guards somewhere about the scrap-iron shed, and that I took some liquor myself at the time. I never told Guard Wall any such thing, because it never happened. I never saw Chief Guard Beaumont drink upon the Prison premises, nor I never saw him under the influence of liquor, nor I never told Wall that I saw him—the Chief Guard—in that state. I have heard Wall say things about the Chief Guard that convinces me that he has a spite against him.

M. UNIACKE.

Guard MARTIN SOMERS, sworn :—

I have been a guard in the prison for ten months. I was on night duty on the 13th of April last. On one occasion—I don't say when—I made an entry in the night-guard report book, that I had been visited while on night-guard duty by Chief Guard Beaumont at a certain hour, when he was drunk. I showed the report to Deputy Chief Stedman, and he told me there was plenty of time, and to wait. I then erased the part stating that the Chief Guard was drunk when he visited me. I don't remember that I showed the report to Wall, but I told him of having made it; the reason why I made the entry was, that a few days before that I was entered for duty by the Chief Guard out of my turn. I informed him that it was out of my turn, and told him who should come first. He told me that he kept the duty roster, and that I must go on. I said "very good," but I wished to see the Warden. Upon that the Chief Guard slapped his stick on the guard-room floor and said that he would allow no one to change his entry. He also called me a grumbling fellow, and said that if I would send in my resignation the Warden would accept it. I was not put on duty that night or the following, although I was detailed. I thought that a man who had been fifteen years an effective non-commissioned officer in the service should have known better than detail for duty out of turn, and therefore I said he was drunk. His manner of speaking on that night and other reasons convinced me that he was drunk. He spoke thickly. I never saw him drunk upon the Prison premises, nor no one of the guards ever told me that he was seen to drink upon the premises.

M. SOMERS.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 22nd Sept., 1875.

SIR,—Having heard from some of the guards of the Central Prison, that during the afternoon of the 20th inst., you held an investigation into some charge or charges preferred against me by a guard of the Prison, named Wall, and having the most implicit faith in your sense of justice, I beg to request that I may be informed if such is the case.

I am unacquainted, to a great extent, with the laws of this country; but I presume, as a public servant, I have a right to know when an official investigation into the propriety of any of my acts takes place. I am not aware, nor have I been informed, of having been guilty of any dereliction of duty or breach of discipline of any sort, much less any act that would necessitate an investigation; but I am aware of the fact, that the aforesaid guard, Wall, addressed to the Warden a letter containing some extraordinary charges against me. Guard Wall, at the time, was smarting under the irritation of a censure from me, for what I did then and do now consider an unwarrantable act on his part. He expressed his regret for writing the letter the following day, and requested me to ask the Warden to allow him to withdraw it, which I did.

The Warden saw Guard Wall that afternoon, and in my presence informed him that he declined to receive the letter, as it was entirely contrary to the By-laws to accept such unspecified charges, which were also made quite out of the limits of the time prescribed.

I am quite willing, if it is considered necessary for my acts and mode of conducting the duties of my position, to become the subject of either a Government or Public investigation; but I trust, if such is the case, that I may be duly informed of it, and made acquainted with the charge or charges preferred against me; and further that I may be allowed to be present to hear the evidence given against me.

I have the honour to be,
Sir,
Your obedient servant,
JAMES BEAUMONT,
Chief Guard.

The Inspector of Prisons,
Toronto.

SEPTEMBER 23rd 1875

Re Complaint against Chief Guard,
Central Prison.

SIR,—Referring to your letter of the 15th inst. and my subsequent enquiry into the facts of the alleged misconduct of Chief Guard Beaumont, I have the honour to inform you that although I do not consider the evidence offered at that inquiry sufficient to warrant any proceedings in an investigation yet I am convinced that there is some truth in the charges, although proof sufficient to convict the Chief Guard of the alleged misconduct was not forthcoming.

In future I shall decline to make any investigation into such charges unless they are made by yourself and brought officially to my notice as demanding an investigation, with evidence as to their correctness.

You will be so good as to hand the enclosed letter to Chief Guard Beaumont.

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

Capt. W S. Prince,
Warden, Central Prison,
Toronto.

Re charge against Chief Guard
Central Prison.

SEPTEMBER 23, 1875

SIR,—Referring to your letter of the 22nd inst. I have the honour to inform you that certain charges were made against you by Guard Wall and forwarded to me by the Warden, and that I made an informal enquiry into their correctness, and found that there was not sufficient evidence to warrant my making a formal investigation into the matter

At the same time, the evidence adduced left no doubt on my mind that the charges were more or less correct and I would, therefore beg to reiterate that which is well understood to be a rule of the prison—that drunkenness will on no account be tolerated and that I should recommend your dismissal should a well authenticated charge be brought to my notice of any such misconduct on your part

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

Chief Guard Beaumont,
Central Prison.

TORONTO, February 20th 1875

To the Inspector of Prisons,

SIR,—Some months since I addressed you a communication in relation to the conduct of Mr James Beaumont, the Chief Guard of the Central Prison. In this letter no specific charge was preferred against him, as no actual evidence in support thereof was available and could be produced by me, but I stated in that letter that the Chief Guard *owing to his intemperate habits his neglect in not reporting matters connected with the discipline of the Prison, and his obstructiveness in the performance of duties ordered by me* together with his *deceptive practices*, unfitted him for such a responsible and important position as Chief Guard I have now to reiterate my former statements, and to add that from circumstances which have transpired, I consider the present Chief Guard an *obstructive and dangerous officer* In using the word dangerous, *I mean that he would wilfully commit an action that would not only tend to involve me, as Warden, in serious trouble, but bring disgrace upon the Institution. It is the duty of the Chief Guard to correctly keep the Registry of Prisoners,* *the Registry shows the description of the Prisoner, the date of sentence, and expiration of sentence.* These entries are very simple, and with common attention, no mistake, except *unintentionally* committed, can possibly occur. The prisoners are discharged by me personally of a morning, the Chief Guard producing a board, on which the prisoners' names are specified, containing those to be discharged during the month, with the dates of discharge set opposite their respective names.

On the morning of the 8th of January I discharged William Lynch, in accordance with the registered date. Some days afterwards it was reported to me by the Deputy Chief Guard, Mr. F. Stedman, that the prisoner had been discharged before the expiration of his sentence, and time were still to be served – and the circumstance of this wrong discharge was withheld from my knowledge by the Chief Guard.

A prisoner named Page (a receiver of stolen goods, well known to the Toronto police), was brought into my office dressed for discharge, in accordance with the Chief Guard's order on the 12th January last. The Deputy Chief Guard, suspecting that his term of service had not expired, prevented his being discharged, and on reference to the copy of the conviction, it turned out that his period of imprisonment did not expire till the 30th of January, although he was registered to be discharged on the 12th. This was never reported to me by the Chief Guard. I have had difficulty in getting my orders carried out by this officer. In fact, upon occasions he has obstructed the observance of them, and instances have occurred in which he has altogether neglected to read my orders to the officers of the Prison.

Dereliction of duty on the part of officers have been, I am convinced, utterly ignored by him, and of course not reported to me. In fact the discipline of the Prison has only been thoroughly maintained from the reports and assistance rendered me by his subordinate, the Deputy Chief Guard. It has been obvious to me for the past eighteen months that the Chief Guard had no moral authority over his subordinates; he is therefore afraid to exercise his official authority, the result of his previous misconduct and intemperate habits, all of which the Prison guards are cognizant of.

I have no hesitation in affirming that this officer when on duty in the Prison, of an evening absents himself at times when he should be present in the guard room. He has ever displayed marked indifference to the welfare of the Prison, and to the earnest and systematic labour of the working gangs.

He obstructs rather than encourages, and I feel that his retention in such a position of trust would be prejudicial to the discipline and success of the Institution. I consider him an official not to be trusted —untruthful, intemperate, deceptive and scheming, and I have no hesitation in saying that he is capable of playing one a false trick at any time. I therefore seriously desire that you will be good enough to bring the matter of this letter under the consideration of the Government, and recommend the removal of this officer from his office as Chief Guard.

In advocating the removal of this official without a directly drawn up charge, supported by the necessary sworn evidence, I would observe that, having been in command of bodies of men for many years in various trusts and positions, experience has taught me that it is not absolutely necessary, in order to dispense with the services of an undeserving officer who at any time might forfeit the trust reposed in him, to be compelled to produce witnesses, take sworn testimony and go into a lengthy investigation, and this is especially defined in the executive administration of the Police Department, where it is often impossible to bring home charges against a wily police officer who is an adept at evading actual detection in the act.

The only mode left for the executive officer in disposing of such an official, is general impressions as to the results of duties performed by him, his sobriety, vigilance, and energy and conscientiousness in the discharge of duties.

I remain, my dear Sir,
Yours truly,
W. S. PRINCE,
Warden.

P. S.—In that part of my statement relating to the conduct of the late Chief Guard, James Beaumont, in not reporting officers, what I desire to convey is that the late Chief Guard abstained from making reports against officers when he had the opportunity of correcting offences that came under his personal observation, and that he was otherwise cognizant of such, as officers coming into the guard-room intoxicated, wrangling and swearing, drinking in the premises, &c., offences which I could not possibly know of, unless they were reported to me, and which misconduct more than any other, tends to upset the discipline and respectability of the Prison and its staff.

There are a number of offences registered by me in the Officers' Misconduct Book, as having been reported by the Chief Guard; these, however, are offences patent to the whole Prison, and taken cognizance of by me immediately, such as neglect of duty in allowing a prisoner to escape, "absence from night duty, absence at evening parade for duty, absence from going duty," all which is known to all the officers at the time, and could not be concealed. Action thereon being required at once, in order to carry on the supervising duty correctly.

Prisoner, Edward Shufelt, transferred 2nd August, 1875; sentenced 12 months; should have been discharged on the 24th July, 1876, but registered for discharge 31st July.

Wm. Proctor, transferred 8th November, 1875; sentenced 6 months; should have been discharged 28th April, 1876, entered in register as to be discharged 27th.

Mathew Fowler, transferred 3rd January 1876; sentenced 4 months; registered for discharge 24th April, 1876, should have been discharged 27th April.

Francis [illegible], transferred 7th February, 1876; sentenced 6 months; registered for discharge 26th August, 1876, should be 24th July 1876.

Alex. McKenzie, transferred 7th February 1876; sentenced 6 months; entered in register to be discharged 17th August 1876; should be 17th July 1876.

Richard Clancy, transferred to Central Prison 17th November, 1874; sentenced 18 months; escaped 14th May over the west wall, registered in the Prisoners' Property Book as having $2.15 by the Bursar, Mr. Short, and in the column where the prisoner's name ought to appear as a witness to the possession and registry of the amount the initials J. B., in the handwriting of the late Chief Guard, James Beaumont; the property is not forthcoming, it should be in the safe at the present time.

W. S. PRINCE,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c. ONTARIO,
Toronto, 1st March, 1876.

Re Chief Guard, Central Prison.

SIR,—I have the honour to transmit for your information and instruction a communication received from the Warden of the Central Prison animadverting in the strongest terms upon the character and conduct of Mr. James Beaumont, Chief Guard of the Central Prison. The charges, as you will observe, most seriously affect the moral and official character of that officer and whether true or false, must completely destroy for the future, the good relationship and confidence that should exist between the Warden and the Chief Guard.

That you may the more readily realise the results of this want of confidence, I may state that all the Warden's orders to subordinate officers and guards, pass through the Chief Guard, and during the absence of the Warden from the prison, he acts as Deputy Warden, and as such is clothed for the time being with the full authority of the Warden.

The charge preferred against him, by the Warden, of drunkenness upon the prison premises, has been made on several occasions before, and although not *clearly* proved legally, still I entertained no doubt as to his guilt, and warned him that the production of *reasonable* evidence of his being intoxicated would be followed by instant dismissal. Such action became imperative, inasmuch as it *had* been *clearly proved* that the Chief Guard had been in the habit of frequenting taverns and drinking in them with the Prison Guards.

The charges that he is deceptive in his character and guilty of practices that render him "an obstructive and dangerous officer and one that would wilfully involve the Warden in trouble, and bring disgrace upon the institution" are of such a nature as only to be properly judged by one coming into daily contact with the Chief Guard, and having his habits and practices under constant observation.

The charge that the Chief Guard has discharged some prisoners before the expiration of their sentences is correct, and is either the result of gross carelessness in keeping the register, or a criminal interest and collusion with prisoners. If due to carelessness only, such explanation and report should have been made to the Warden of the facts, as would have enabled him to guard against a recurrence of the carelessness. This, it seems, the Chief Guard neglected to do.

The charges that the Chief Guard has neglected to carry out the orders of the Warden, and on some occasions has obstructed the observance of them; that he has not reported on many occasions dereliction of duty on the part of officers; that he has no moral authority over his subordinates, and that he is *afraid* to exercise his official authority, owing to previous misconduct and intemperate habits, which are known to the guards, are also of such a nature that they can only be properly judged by one coming in daily contact with the Chief Guard and having him under constant observation.

While I am fully of the opinion that any officer or servant of a public institution against whom charges are preferred, is justly entitled to demand and receive through an official investigation, an opportunity of rebutting such charges, still when the head of the institution and the officer directly responsible to the Government for its discipline and management (more particularly in a prison where the safe custody of prisoners is at stake) deliberately states over his signature as the Warden of the Central Prison does respecting the Chief Guard, "that his retention in such a position of trust would be prejudicial to "the discipline and success of the Institution, that he considers him an official not to be "trusted, untruthful, intemperate, deceptive and scheming." It is very clear that if the Warden is to be held responsible for the management and discipline of the Prison, that any subordinate officer respecting whom he finds it necessary to report in the manner he has done in this case, must be summarily dismissed.

I have the honour to be, Sir,
Your obedient Servant,
J. W. LANGMUIR,
Inspector.

To the Honourable, the Provincial Secretary.

3rd March.

Re Chief Guard.

SIR,—I have the honour to acknowledge the receipt of your letter of 20th ultimo, preferring certain charges against the Chief Guard of the Central Prison.

You state that owing to intemperate habits, neglect in not reporting matters connected with the discipline, and obstructiveness in the performance of duties ordered by you, together with deceptive practices generally, that that officer is unfitted for the discharge of the responsible and important duties of his position.

You also state that in your opinion he would not hesitate to wilfully commit an action that might not only tend to involve you as Warden in serious trouble, but would bring disgrace upon the Institution. You further state that, owing to carelessness in keeping the Register of the Prison (a duty that devolves upon the Chief Guard), that prisoners have been discharged from the Prison upon several occasions prior to the expiration of their sentence, and, that although these irregularities were well known to the Chief Guard, still he failed to report the matter to you, in order that steps might be taken to prevent the recurrence of the same.

You also state that you not only experienced great difficulty in having your orders carried out by this officer, but that upon some occasions he has obstructed the observance of your orders, and on other occasions has neglected altogether to read them to the officers of the Prison.

You state that dereliction of duty on the part of officers has been utterly ignored by him, and not reported to you, and that, in fact, the discipline of the Prison has only been thoroughly maintained by the reports and assistance of officers subordinate to him.

You say that you are convinced that the Chief Guard has no moral authority over his subordinates, and that owing to previous misconduct and intemperate habits—of which the Prison Guards are cognizant—that he is afraid to exercise his official authority over them, and that you therefore consider him an official not to be trusted, untruthful, intemperate, deceptive and scheming.

I need not state that under ordinary circumstances, it is the desire of the Government that officers and servants of public institutions against whom charges are preferred should have an investigation into such charges, and obtain an opportunity of rebutting them; still when the head of an Institution, and the officer directly responsible to Government for its discipline and management (more particularly that of a Prison, where the safe keeping of a large number of prisoners is at stake), deliberately makes charges that so seriously affect the moral and official character of an officer, and, in consequence, the character of the Institution with which he is connected, it is clear that if the authority and responsibility of such manager is not to be totally destroyed, the officer whom he so unfavourably reports must be dismissed; for whether the charges are true or false, it is very evident that the good relationship and confidence that should exist between them must be completely destroyed.

When it is considered that all your orders to subordinate officers and guards pass through the Chief Guard, and that, during your absence from the Prison that officer acts as Deputy Warden, and is clothed for the time being with the full authority of the Warden, this action becomes the more imperative.

Having laid your communication before the Honourable the Provincial Secretary, who has given the matter the fullest consideration, I am directed by him to inform you that the services of Chief Guard James Beaumont are now no more required, and you will communicate to him that, for the reasons set forth in your letter, he has been dismissed from the Central Prison service.

I have the honour to be
Your obedient Servant,
J. W. Langmuir,
Inspector.

The Warden of the Central Prison,
Toronto.

Box 60b
Toronto, 9th March, 1876.

To the Honourable S. C. Wood,
Provincial Secretary.

Sir,—I have been much surprised by the receipt of an official letter from the Warden of the Central Prison, in which I am informed that in consequence of certain charges having been made against me, the Government have directed my removal from the position of Chief Guard which I have held since the opening of the Institution.

As this step involves not only the loss of my situation, but also my character, I am surprised that I should not have been previously informed as to the nature of the charges and an opportunity allowed for an explanation.

I am therefore induced respectfully to request of you, as Secretary of the Province and head of the Department under which I have been serving, to cause me to be supplied with a copy of the charges, and further, that the Government will afford me an opportunity of confronting my accusers, with a view to remove the censure implied in the summary dismissal of which I have been so unexpectedly notified.

I have the honour to be, Sir,
Your most obedient Servant,
James Beaumont,
Late Chief Guard, Central Prison.

17th March, 1876.

Sir,—I am directed by the Hon. the Provincial Secretary to acknowledge the receipt of your letter of 9th inst., and to state that the reasons why you were removed from the position of Chief Guard of the Central Prison are set forth in a letter received from the Warden, of date February 20th inst. In that letter the Warden states that owing to your intemperate habits, neglect in not reporting matters connected with the discipline of the prison, obstructiveness in the performance of duties ordered by him, irregularity in keeping the register of the prison, neglect in not reading the orders issued by the Warden, overlooking and not reporting offences and misconduct on the part of officers of the prison, and deceptive and obstructive practices generally, your removal was recommended.

While the Government is desirous of giving every officer in the service of a Public Institution an opportunity of rebutting any charges that may be preferred against him, still it is clear that if the authority of the Superior Officer of an Institution, particularly of a prison,—is to be upheld, due weight must be given to all charges preferred against his subordinate officers.

When therefore the Warden over his own signature deliberately states that your retention in office, for the reasons set forth by him, would seriously affect the discipline and management of the prison, it is clear that the good relationship and confidence that should exist between the Warden and his Chief Guard is completely destroyed.

Particularly is this the case when, as you know, the Warden's orders to all subordinate officers and guards must pass through the Chief Guard, and that during the absence of the Warden he must act as Deputy Warden. For these reasons the Warden was instructed to remove you from your position as Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
J. W. LANGMUIR.

Mr. James Beaumont,
Box 605, Toronto, Ont.

Box 605, Toronto, 22nd March, 1876.

The Honourable the Provincial Secretary, Toronto.

Sir,—I beg most respectfully to transmit to you a copy of a letter I have written to the Inspector of Prisons in reply to one I received from him, written by your directions, and by which I was for the first time made acquainted with the grounds for my removal from the position of Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
JAMES BEAUMONT.

Box 605, Toronto, 21st March, 1876.

The Inspector of Prisons.

Sir,—I have the honour to acknowledge the receipt of your communication of the 17th instant, in reply to my letter of the 9th, addressed to the Honourable Provincial Secretary, detailing the charges made against me by the Warden of the Central Prison, and regret that my dismissal was so arranged that this should be the first opportunity of my becoming aware of their nature, or being able to offer any explanation in reply.

1. *Intemperate Habits.*

This habit I deny, and beg to state that, though not a total abstainer, I have never while an officer in the Prison been in the least incapacitated from the proper performance of every duty required of me, day or night, in consequence of intemperance. Further, when I entered the service of the Central Prison it was with the full understanding that any single act of intemperance would be dealt with in the manner adopted in the Army Navy and Convict Service of Great Britain, viz., that the Warden would call a witness to the fact and suspend me, my dismissal as a matter of course immediately following—this has never been done, nor have I ever been charged with intemperance by the Warden.

2. *Neglect in not Reporting to the Warden, &c.*

With regard to the accusation of neglect in not reporting to the Warden matters connected with the discipline of the Prison I distinctly assert that I am entirely unconscious of any neglect in this particular, certainly none that would be deemed matters of importance by any *impartial* judge.

It is true that I suppressed one report made to me of insubordination of prisoners in one gang, as the cause of it arose from the alleged conduct of the Warden.

3 *Obstructiveness in the Performance of Duties*

This I must again deny any consciousness of, unless it refers to matters connected with the domestic arrangements of the Warden's house, the written orders for which I now hold to be produced when required having always felt too much interest in prison affairs to have offered the slightest obstruction at any time.

4 *Irregularity in Keeping the Register*

In reply to this I have only to remark that from the opening of the Central Prison to the day I left, no person ever made an entry in the Prison Register but myself; that it lay open every day without exception in the Warden's office for his inspection, and on no single occasion has there ever been the slightest fault found with its correctness or incompleteness. Surely if any neglect existed re this matter it was not unreasonable to expect that my attention would have been called to it by the Warden, especially when he was fully aware of the various other calls upon my time and attention. Referring to an error I made in computing the time of a man named Lynch by which he was discharged some days previous to the expiration of his sentence, I may state that I reported the mistake to the Warden immediately I discovered it—four days after. This man's sentence was among the first I had to calculate after taking up that duty, and I believe is the only case in which any mistake on my part was not discovered in time to prevent any unfavourable result.

I may take this opportunity of drawing your attention to the fact that, although paragraph 74 of the by-laws fixes the duty of the Chief Guard *to see* that the books, &c. in the Warden's office are properly kept, the additional duty of *doing it* was imposed upon me through assistance in the shape of a prison clerk being forbidden by the Warden, and no other provision made. The variety of other duties laid out for the performance of the Chief Guard most seriously interfered with that uninterrupted attention which is so essential to the correct keeping of books of any kind, and I referred to this in my letter to you of the 16th October last.

5 *Neglect in not Reading Orders Issued by Warden*

I emphatically deny that I was ever guilty of neglect in reading any of the orders of the Warden, the whole of the orders having been read by me at the time of publication, with the exception of one or two which the Warden himself verbally informed me need not be read, and to which I can refer to from memory when called upon.

6. *Overlooking and not Reporting Offences of Officers*

In this matter I cannot recall any case of neglect on my part, which in the reasonable discretion to which the officer in my position was justified in exercising.

Had I reported all reports made to me during my service in the Central Prison, serious scandals might have been brought to notice, which, for the credit of the prison I deemed it my duty to suppress.

I am happy to be informed that the Government is desirous to give every officer in the service of a public institution an opportunity of defending himself, and I trust they will extend the same to me by instituting a full and impartial investigation of the alleged charges, and while giving full weight to the charges preferred by the Warden, that their weight shall only be estimated by the facts which may be established by evidence.

I have been fully aware that nearly ever since the opening of the Institution, a junior officer of the prison has had the ear and confidence of the Warden, and has boasted that he would have me removed and secure my position; and am firmly convinced that the Warden has been largely influenced by his misstatements, and has been induced in consequence to use his influence for my removal; but I had great confidence that no dismissal would take place without an inquiry into the facts, when I knew the truth would be made apparent, and the evident desire of the Warden to place in my position one who enjoyed more of his confidence, whether deservedly or otherwise.

I am fully aware of the importance of a good understanding existing between the Warden and his Chief Guard, and had the only ground for my removal been based on this fact, and been so represented to me by you, without the charges detailed above, it would have been different; but when I consider that as Deputy-Warden I conducted the business of the prison in such a manner during his absence in 1874 as to secure his unqualified approval, and again during his prolonged absence in 1875, with a similar result, and I believe also entirely to your satisfaction, and having given all these circumstances my mature deliberation, I most respectfully and earnestly request that a full and impartial enquiry may be instituted, and that I may not be dismissed with an undeserved stain on my character, which must necessarily prevent my securing other employment, upon which the welfare and comfort of myself, wife, and family in such a large degree are dependant.

I have the honour to be, Sir,
Your most obedient servant,

JAMES BEAUMONT,
Late Chief Guard Central Prison.

TORONTO, 25th March, 1876.

SIR,—I have the honour to acknowledge the receipt of your letter of 21st inst., which I have transmitted to the Hon. Provincial Secretary for consideration and instructions.

I have the honour to be, Sir,
Your obedient Servant,

J. W. LANGMUIR,
Inspector.

MR. JAMES BEAUMONT,
Box 606, Toronto, P. O.

25th March, 1876.

SIR,—I transmit herewith for your perusal a letter received from Ex-Chief Guard Beaumont.

You will observe that he denies most of the charges preferred against him.

You had better deal with the denials in the order in which they are placed and give instances. This report is asked for for the information of the Government, not with a view of communicating its contents to Mr. Beaumont.

I have the honour to be, Sir,

Your obedient Servant,

J. W. LANGMUIR,
Inspector.

The Warden, Central Prison, Toronto.

Provincial Secretary's Office, Toronto,
March 29th, 1876

Sir,—The Inspector of Prisons has been instructed to send a copy of your letter to Capt. Prince, and when we receive his reply will determine what course to pursue

I have the honour to be Sir,
Your obedient Servant,
S. C. Wood,
Secretary.

Jas. Beaumont, Esq.,
Box 605 Toronto.

Re Communication of Ex-Chief Guard James Beaumont.

March 30th,

To the Inspector of Prisons &c.

Sir,—I have the honour to acknowledge the receipt of your letter of the 29th instant, enclosing a communication addressed to you by the late Chief Guard of the Central Prison. To this letter I shall send you a reply with as little delay as possible in the meantime I retain the letter without loss of time as desired.

Your obedient Servant,
W S. Prince,
Warden.

Office of the Inspector of Asylums, Prisons, &c. of Ontario
Toronto 29th April, 1876

Re Ex-Chief Guard Beaumont.

Sir,—Referring to the communication of this dismissed officer addressed to you, asking to be furnished with the reasons why he was released from duty, I beg to state that I transmitted the letter to the Warden and I now have the honour to forward to you his reply, which affords an additional evidence of the necessity that existed for discharging Mr Beaumont from the Central Prison service.

Be good enough to return the letter for filing in this office

I am, Sir
Your obedient servant,
J W Langmuir,
Inspector

The Honourable Provincial Secretary

Warden's Office, Central Prison of Ontario
Toronto, 21st April, 1876.

To the Inspector of Prisons, &c.

Sir,—In reference to your letter enclosing a communication from the late Chief Guard, Central Prison in which he denies the truth of my representations as to his unfitness for office, from his intemperate habits and other reasons adduced by me I have the honour to inform you that the best proof in support of the correctness of my statement to you is the discipline, correctness and harmony that has pervaded every branch of duty since the 8th of last month the date of the late Chief Guard's removal but I shall deal with his denials *seriatim* and first as to his denial of intemperate habits:—Mr Beaumont has been frequently under the influence of liquor which has been patent to every guard in the Prison Upon one occasion he was *sitting* upon a chair in the north corridor between 3 and 4 p. m. so much under the influence of liquor as to be clearly observable, and remarked by the guards. Upon one evening whilst in this state, he had the prisoners rung down from the corridors *twenty minutes* before the arrival of the working gangs from the yard for the "evening counts." Numbers of other cases could be enumerated, and witnesses produced in evidence thereof. But I may state, that on the evening previous to his removal (the 7th March), while taking the "evening counts" *in my presence*, the late Chief Guard was so much under the influence of liquor that had I not just received the communication containing his dismissal, I should have suspended him, and dismissed him off the premises.

Neglects in not Reporting.—This he also denies. I have to state that the late Chief Guard never reported an officer since his appointment to office. The guards did in the guard room, in his presence, whatever they chose. In defiance of my orders, he would walk up and down the guard-room, whistling and singing, of a night, so much so as to attract the attention of the corridor night patrols, while the guards would quarrel and wrangle in an unseemly manner without check. As I have stated in my reports to you, he would, when on duty and in charge, leave the Prison and remain away for hours. Upon one night the Deputy Chief Guard, on returning to quarters at 7.30 p.m. (unexpectedly), as it was his evening on leave, heard the hospital bell ring; finding it was not replied to by the officer on duty (Mr. Beaumont), he himself went up, and found that one of the patients had been taken suddenly worse. The late Chief Guard was not forthcoming, and did not return to the Prison till 9.40 p.m., just before lights out; but as regards this practice, I can produce sufficient evidence to prove that it was constantly carried out; and so little regard had he for the discipline of the Prison and the execution of orders, that I have left for the city at 6 p.m., leaving the late Chief Guard as the officer on duty in charge for the evening, and that he, as soon as I had gone, *left also*, so that the Prison was of an evening left without the *supervision of a single superior officer*. Orders were issued by me for all the guards to be paraded and inspected by the Chief Guard prior to their mounting duty of a morning, in order that he might see that they were properly equipped, and correct in every respect. This duty I found was entirely neglected, and my detection of this neglect originated in one of the guards having left a loaded pistol in the dormitory, which had actually been taken possession of by a prisoner and hid away by him in a cell; and this guard never reported the absence of this pistol for eighteen hours, nor did the Chief Guard know anything about it. Upon another occasion, Prison Guard Henry Langman, who was one of the guards for wall duty on the morning of the 7th of June last year, was passed by the late Chief as correct and fit for duty, *when he was drunk and unfit for duty*, and his being in this state was accidentally discovered by the Deputy Chief Guard on his proceeding to his post, and Guard Langman was dismissed. The late Chief Guard remarks: "That he cannot recall any case of neglect which an officer in his position was justified in exercising," and also states that if he had reported all things during his service, scandals might have been brought to notice which, for the credit of the Prison, he deemed it his duty to suppress. My orders to him, from the day he was sworn in, were that all things connected with breaches of discipline and the rules and regulations of the Prison were to be reported to me by him personally. I have cautioned him time after time upon carrying out this order to the very letter, and to be most particular in observing and reporting to me upon the conduct of the officers in the guard-room. If he had obeyed these orders the scandalous behaviour which was afterwards elicited upon your investigations—such as smuggling liquor into the Prison premises, tippling, misconduct, and the use of foul language, coupled with other conduct unbecoming the character of Prison guards—could never have taken place; all this the late Chief Guard must have been cognizant of, the performance in many instances taking place under his own eyes; and then he attempts to justify himself in the suppression of the information from me.

Irregularity in keeping Register.—The two cases in point, quoted in my communication, are sufficiently glaring to admit of no denial; these cases were never reported to me by the late Chief Guard. Upon my charging him with neglect in causing Lynch to be discharged before his time, he stated that it was the fault of the Bursar who endorsed the convictions and notes for the register at the time that Lynch was transferred. Now the register is wholly in the late Chief Guard's own hand writing, and the entries must have been made from the copies of the convictions and transfer returns to the Bursar had nothing to do with making the entries in the register book. The Prison Clerk alluded to by him was brought into my *office to assist the Bursar* in making up his books and accounts; this prisoner had nothing to do with the late Chief Guard or with the books and returns that it was his duty to keep and make up, and which a couple of hours application a day on his part, would have sufficed to have kept filled up, and correct. Another instance of these irregularities (to use the mildest term) has come under my observation during the *last fortnight*, in prisoner Stephen Collins, being registered to be discharged on the *7th of April*, whereas on reference to the copy of conviction, I found it to be the 27th April, on examination of the register again, the scratching out of the 2 before the 7 is as clear as noon-day.

Obstruction.—To show you what little dependence I could place upon him, and his desire to obstruct me in duties entailing great annoyance to me as "Warden," I have to state, that on a Saturday I informed the Bursar that it was my desire that he should be present at the measuring of the stone, and that information should be sent to him when a pile was in readiness. The Contractor Godson came into my office shortly afterwards, stating to me that the Bursar had left his office; and expressed a hope that I would allow him the first thing Monday morning, to commence and haul away from a pile of stone that was in readiness for measurement, and that he would come up early on Monday when the Bursar was present and have the pile measured, accounting for the loads that had been taken away. I complied with his request, and instructed the Chief Guard *personally about it in the presence of the Contractor.* Upon Monday morning at 9 10 a.m. I was out in the front grounds conferring with the Deputy Chief Guard upon steps to be taken for the prevention of another flood, which the rise of water threatened. I shortly afterwards went into the office and remained there till 10 a.m. I then returned to my quarters till 10 30 and during that time noticed the contractor driving out through the front gate. Immediately afterwards I remarked to the Chief Guard that the contractor had been here. He replied yes, sir, *he came to see the Bursar*, as he could not take away his stone in his absence and the Bursar has not come. Shortly after I discovered that the contractor had naturally enough asked to see me, when Mr Beaumont coolly informed him—that the *Warden did not wish to be disturbed.*" I have recently found out that he frequently replied to gentlemen coming from the City and Yorkville, to see me, in the same tone. The late Chief Guard complains that a subordinate officer *had my confidence.* True, the Deputy Chief Guard had my entire confidence which was transferred from Mr Beaumont a few months after the latter had been sworn in as I soon found out that the late Chief Guard was not to be trusted, and well has Mr Stedman fulfilled the trust reposed in him for by his watchfulness, truthfulness and energy in the discharge of duty he has rendered me very important service, counteracting to a great extent the evil influences upon the welfare of the Institution, endangered through the appointment of such a character as the late Chief Guard, to such a position of trust. In the beginning of last year when there were about 330 prisoners in the Central Prison, and no employment for them but drill, and but few guards, a report was circulated that an attempt would be made to escape, and that assistance was expected from outside of course I felt very uneasy especially at having so large a number of prisoners with no employment to keep their minds occupied. Upon my visiting the Prison at a late hour one night, and passing through my *office* I happened to open the drawer of a little table which stood against the south window, to look for a pencil this drawer was not locked, and you may imagine my surprise when I discovered lying in this drawer the keys of the "Prison Proper" so that any one might have opened the window which is not barred, taken the keys, entered the Prison, and attacked the south corridor night guard. This culpable or perhaps wilful negligence, the late Chief Guard had been in the habit of committing for nights before it was discovered. Since the man's removal, the general management of the duties of the Central Prison has been conducted most satisfactorily to me, the strictest discipline combined with harmony prevailing in every branch of duty under the Executive Administration of Mr. Stedman, the Deputy Chief Guard, assisted by Guard Edwin Newton, an intelligent retired Non-Commissioned Officer of the Royal Artillery.

I have the honour to be, Sir

Your obedient servant,

W. S. PRINCE,

Warden.

Box 505 Toronto, 3rd May 1876.

The Hon. S C. Wood,
Provincial Secretary.

Sir,—Referring to the contents of your letter of the 24th March last, I beg to draw your attention to the fact that I am still waiting the result of your communication to the Warden of the Central Prison

In my letter addressed to you on 21st March, I begged you would grant me an investigation into the alleged charges that formed the ground of my dismissal

I now respectfully renew that request, accompanied with the hope that it may take place at an early date

An additional inducement exists for me to urge this request, in the fact that it has come to my knowledge that Captain Prince has made scandalous and unjustifiable assertions about me, and my only reason for not taking legal notice of the same directly it came to my notice, was the fact that I was led to hope that an inquiry would take place into the truth or otherwise of the statements that brought about my unexpected and in my opinion undeserved dismissal.

I have the honour to be, Sir
Your obedient servant,
James Beaumont

Provincial Secretary's Office, Ontario
Toronto 10th May 1876.

Sir,—With reference to your letter of the 3rd inst. I have now the honour to transmit herewith copy of the charges preferred against you by the Warden of the Central Prison, Toronto, when acting as Chief Guard of the said prison.

I have the honour to be, Sir
Your obedient servant,
J R. Eckart,
Assistant Secretary.

Mr James Beaumont,
Box 405, P O. Toronto.

Box [illegible] Toronto, 13th May 1876

The Hon. S C. Wood,
Provincial Secretary

Sir,—I have the honour to acknowledge the receipt of your letter of the 10th inst. enclosing a copy of the reply of Capt. Prince to my previous statements on the subject of my dismissal from the position of Chief Guard of the Central Prison and in reply I beg to state that the charges preferred therein are quite capable of being disproved by documentary or oral evidence, before any impartial tribunal, their falsity proved and the animus which prompted them made clear

Among the reports suppressed with which the Warden charges me, was that of a guard in charge of a gang of prisoners, who complained that he (the guard) was unable to control his men, and keep them from laughing and talking in consequence of the Warden appearing before them in plain clothes, with his hat on the back of his head, and so much under the effects of liquor as to become the laughing-stock of all in sight.

With this, as one example of what can be established on a proper inquiry, I beg, in conclusion to state that when I received my appointment, it emanated from the Government, and not from the Warden and I did not for a moment suppose that they would allow my dismissal and my character to be vilified on the unsupported statements of any individual, without an opportunity being afforded of proving their correctness.

A reluctance to believe that such would be the case, has led to my remaining under the stigma so long as I have, in the hope that I would be afforded the opportunity of disproving the accusations made against me, without bringing the matter before the public.

As, however, two months have now elapsed, and still feeling that the means adopted to secure, and the mode of carrying out, my dismissal, were at variance with the Statute and the rules laid down, I again most respectfully but earnestly urge that a full and impartial inquiry may take place, and that I may be allowed to *employ counsel* to assist me in the examination of witnesses to prove the incorrectness of the charges made, and vindicate my character which has been so cruelly traduced, as to prevent me either obtaining any other of the vast number of situations of which the Government have control, or obtaining employment in any respectable house of business in a city in which it is my desire with my family to remain. I respectfully ask the favour of an explicit reply to my request for an investigation, and on the conditions named above, failing the receipt of which I cannot be blamed afterwards, for taking such steps as I may deem best, to remove the stigma cast upon me, even if it should be the means of bringing to light many things, which for the interest and credit of those concerned, would be better to remain in the shade.

I have the honour to be Sir,
Your most obedient servant
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 16th May 1875.

SIR,—I am directed to acknowledge the receipt of your letter of 13th instant, and to inform you in reply that your application for an investigation into the charges made against you when in the capacity of Chief Guard of the Central Prison will be granted, and a date for holding the same fixed on the return of the Inspector of Asylums from his present tour of inspection.

I have the honour to be, Sir
Your obedient servant,
L. E. ECKART
Assistant Secretary

Mr James Beaumont, Toronto

BOX 505, TORONTO, June 7th, 1876.

The Hon S. C. Wood,
Provincial Secretary

SIR,—Referring to your letter of the 16th ult., informing me that an investigation into the truth of the charges preferred against me by the Warden of the Central Prison would be granted, I have the honour to request that the said inquiry may take place at as early a date as practicable, and that I may receive due notice of the day fixed.

I have the honour to be,
Sir
Your obedient servant,
JAMES BEAUMONT

BOX 605, TORONTO, July 3rd, 1876

The Hon. S. C. Wood
Provincial Secretary

SIR,—I have the honour to draw your attention to your communication to me of the 16th May last, informing me that an "investigation should take place on the return of the Inspector from his present tour, into the truth or otherwise of certain statements made by the Warden of the Central Prison, which formed the grounds for my dismissal from the post tion of Chief Guard without any opportunity being afforded, of refuting the charges made against me.

I beg now most respectfully to state, that I have hitherto refrained (to my own disadvantage), while waiting the promised inquiry, from seeking other employment, and as I can not afford to do this much longer I respectfully request you will at once adopt such steps as you may deem expedient to bring my case to an issue without further delay in reminding you that it is now four months since my first appeal.

I have the honour to remain
Sir
Your obedient servant,
JAMES BEAUMONT

BOX 606 TORONTO, October 5th, 1876.

The Hon. S C. Wood,
Provincial Secretary.

SIR —Referring to previous correspondence and our conversations on the matter of my dismissal from the position of Chief Guard of the Central Prison and particularly to my letter of the 13th May last, in which I request the privilege of employing counsel on an investigation I beg to state that having duly considered your promise to personally conduct the same whenever it took place, and having also consulted friends in whom I have the most implicit confidence, I am fully impressed that the interests of justice and myself will be equally attained by leaving the matter entirely in your hands.

I will therefore abandon the idea of employing counsel and trust you will give this subject your attention as early as convenient.

Your obedient servant,
JAMES BEAUMONT

INVESTIGATION INTO CHARGES MADE AGAINST JAMES BEAUMONT LATE CHIEF GUARD OF CENTRAL PRISON

13th October, 1876

WILLIAM STRATTON PRINCE sworn.—Am Governor of the Central Prison was appointed in July 1873 formerly for fifteen years chief of police for City of Toronto.

As far as my memory serves me, Mr Beaumont never reported to me. He may have done so on a few occasions. The Deputy Chief Guard made the reports.

Things came out in the investigation held by Mr Langmuir in the fall of 1875 which proved that Mr Beaumont was cognizant of conduct detrimental to the interests of the Institution such as wrangling and quarrelling on the part of the guards and did not report to me. I may state that he never reported an officer to me. The guards did in the guard-room in his presence just what they chose such as walking up and down the guard room, whistling, singing at night. He himself would also do this, the guards wrangling in an unseemly manner without check leaving the Prison for hours together when in his charge. One night the Deputy-chief Guard was returning to quarters at half past seven, unexpectedly, as he was coming off leave. The hospital bell rang and he, finding it not replied to by the officer on duty (Mr Beaumont), went up himself and found the patient much worse.

I put in letter marked "A," containing the statement just made as well as other charges and would state so far as want of discipline in the guard room is concerned, they were reported to me by others.

On the evening of the 7th March last, while taking the evening count, I considered the Chief Guard to be so much under the influence of liquor that if I had not received his dismissal I should have suspended him. I considered the Chief Guard under the influence of liquor past one o'clock in the morning, on the occasion of the concealment of prisoner Spackman on 26th September, 1875. He was instructed to have relieved the Deputy Chief Guard at midnight. I found that it had not been done and I went for the purpose of finding out

where the Chief Guard was. I found him asleep on his bed; I called him up and sent him to duty.

I questioned the Deputy Chief Guard as to the cause of his leaving without being properly relieved. He stated he had called to the Chief Guard, and could get no answer; he said the Chief Guard was lying on his bed. When I say under the influence of liquor, I do not mean that he was incapacitated for duty, but that, as Chief Guard, he should not have been in the state I found him. I have frequently noticed that Mr. Beaumont was under the influence of liquor in the day-time, but he was not drunk. It came under my notice that he would at times leave the prison keys in the office, instead of being placed in the armoury. I found the keys one night in the drawer in my office, and the drawer not locked.

Statement "A" put in by me, is correct so far as matters came under my personal notice; and when it refers to matters not coming under my personal observation, is correct as reported to me.

W. S. PRINCE.

RICHARD STEDMAN, sworn.—Am Acting Chief Guard; held the position of Deputy Chief Guard up to 8th March last. I have seen Mr. Beaumont under the influence of liquor several times. The first time I saw him was at mid-day count, about seven or eight months after the Prison opened. I went up to my room to find the Chief Guard, and found him lying on the lounge in the room. I asked him what was the matter, and he replied he felt sick, and told me to go to the Hospital and get the Hospital Guard to give him something. I can't say what it was; I brought it down and gave it to him, put a rug over him, and he went to sleep. I judged by his manner of speaking, his appearance, and the smell of liquor, that he was intoxicated.

Another time, in June 1875—I cannot give the date—he was sitting in the corridor as I passed through. Mr Newton was present. I thought Mr Beaumont was intoxicated and called Mr Newton's attention to it. It was between three and four o'clock in the afternoon. The night that prisoner Spackman hid himself away in September, 1875, I found him at midnight in his bedroom lying on the bed. I went up to him and spoke to him. He sat up in the bed and said he would be out in a minute and relieve me. I thought he was intoxicated from his appearance and the smell of liquor. I have seen him several times more or less under the influence of liquor, generally towards the evening.

On one occasion last year—I can't state the day or month—he rang the prisoners down from their cells to tea at twenty minutes to six; his appearance at that time indicated that he was intoxicated.

The rules and regulations put in, marked "B," were approved of 1st June, 1874, and the rules &c. marked "C" were approved of 19th April 1875. I have heard whistling and singing in the guard room several times, and have heard Mr Beaumont himself whistle and sing in the guard-room. I have reported several times the singing and whistling on the part of the guards; latterly I ceased reporting as nothing was done to stop it. I have frequently when in my room heard the guards disputing and talking loud in the guard room, Mr Beaumont being present and on duty. I don't know that I knew the guards to discuss politics in the guard-room in Mr Beaumont's presence. Guard Wall came home drunk one night, I cannot state the time, and was not reported by Mr Beaumont. Mr Beaumont was in the guard-room and on duty when Wall came in. Wall was so drunk that he got up and made his water on the bed next to him. On the afternoon of the 14th July 1875 I came through the corridor and found a prisoner named Newbold under the influence of liquor. I told him to go up to the hospital; he refused to go, stating that the Chief Guard told him to stay down. I then put him up to the hospital; I reported him to Mr Beaumont as being drunk. Mr Beaumont ordered him to be placed in the dark cell until the return of Captain Prince; it was my night off duty, and when I came back I was told by one of the guards that Newbold had been taken out of the dark cell up to the hospital. I spoke to Mr Beaumont about it the next morning and said I did not think it was right; he told me that he was Chief Guard and that I had nothing to do with it. I told him I would see the Warden about it. I spoke to the Warden about it, who ordered Newbold to be placed 56 hours in a dark cell for that and another offence, which other offence was fighting with prisoner Stanlan.

At different times, I have when off duty and Mr Beaumont supposed to be on duty, known the guards to be absent who should have been on duty; for how long, I cannot say. One night at ten minutes past nine, I saw Mr Beaumont, who should have been on duty, Guard Dougherty and Guard Bollard coming out of Higgins' tavern ; I cannot remember the day or month ; it was about a month or two before Bollard was dismissed ; I did not report it.

Adjourned until 2 P M.

Resumed at two P M —Evidence continued.

R. Stewart.—I came home one night in April, 1875 ; I heard some knocking up stairs at the hospital gate, and finding it continue, I got up. I went to the hospital and found prisoner Philip Williams, who had taken an overdose of medicine, lying on the floor I went to the guard room to find the Chief Guard Mr. Beaumont ; could not find him in the guard room. I then went to the office and he was not there. I then went back to the prisoner and got him on to the bed , between half-past nine and ten. Mr Beaumont and the hospital guard came to the hospital. Mr Beaumont should have been on duty that night, as it was his night on, and my night off. When I came home there was no officer in charge owing to Mr Beaumont's absence.

I have frequently come home at nights, when Mr. Beaumont should have been on duty, and found that he was absent. I know he was not in as he would afterwards come into the prison. This would take place sometimes when Captain Prince was away. On the sixth June, 1875, I reported Guard Henry Longman for being absent without leave, and for being unfit for duty from the effects of liquor The entry in the officers' misconduct book now produced, was made by Captain Prince on my report. The Chief Guard had passed him, Longman, as fit for duty and marched him off for duty Guard Longman came to me with his rifle in his hand and said he was not fit for duty that if he went on the wall he would fall off. He was not sick, he was drunk, he had been out all night. Mr Beaumont came to my room ; I told him that Longman was drunk he called him back to the guard room and think he sent another guard in his place. I reported to the Warden, and he was dismissed for being drunk.

Orders issued by Captain Prince are written in the order book, and the rules require they should be read to the Guards by the Chief Guard on several occasions this was not done. I cannot name them now except once, when Guard Newton was to take my place during my absence on leave. This order I was informed by Guard Newton was not read. I have seen the keys lying in the drawer in the office and the drawer not locked keys leading into the prison proper and from there out into the yard. I did not report it. The keys were not in my charge and having been told by Mr Beaumont on other matters that it was none of my business, I did not interfere with the keys. At the evening count, the keys are collected by the corridor guards before the Chief Guard and then placed in the armoury As acting Chief Guard, my duty is to see that the front door key and all other prison keys are locked up in the armoury About the 12th January 1876 prisoner Page was about being discharged and I discovered that his time was not up—from Guard Gifford. I reported to Mr Beaumont, and on examination of the register he found that his time was not up and sent him back his time was up on the 20th January 1876 and he was discharged on the 20th, and Guard Gifford called my attention to fact that prisoner Lynch was discharged before the expiration of his sentence The entries in the register and the prisoners discharge book now produced, showing that prisoner Lynch was discharged at the expiration of his sentence, are incorrect. The copy of sentence now produced shows that he was to serve eight months from the 21st May 1875 and should have been discharged on the 20th January 1876 and should not have been discharged on the 7th Prisoner Stephen Collins was entered in the register book as sentenced for two years, and that term would expire on the 7th April 1876 the copy of sentence now produced shows that his sentence was terminated on the 27th April 1876 I have found several irregularities in the Register

Cross examined by Mr Beaumont

It was the custom when Mr Beaumont was Chief Guard, and is now five minutes before the gangs are marched on to bring the prisoners down who may be in the corridors I have no recollection of ever having entered Mr Beaumont's name on the Report Books I don't know of any order in existence requiring the Chief Guard to remain in the guard room during the time he is in charge of the Prison. The Bursar keeps the keys of his own department ; the Warden has three keys one for the outside grated gate, one for

blind door inside the grated gate, and one for the door leading from the dining hall into the yard; these keys are not locked up in the armoury, but are kept by the Warden.

Page was admitted into the Prison on 2nd February, 1876.

Lynch, on 26th May, 1874.

Collins, on 3rd June, 1874.

RICHARD H. STEDMAN.

EDWIN NEWTON sworn.—I was appointed Guard 5th July, 1874, have acted as Deputy Chief Guard since 6th March, 1876. About September, 1875, Mr. Beaumont came into the north wing and sat down, and was talking about some matters connected with the north wing; Mr. Stedman came in, and in a few minutes afterwards Mr. Beaumont went out; after he went, Mr. Stedman remarked to me that Mr. Beaumont had just about as much as he could carry; I did not see anything in Mr. Beaumont's appearance or in his conversation that would lead me to believe that he had got as much as he could carry, or that he was intoxicated.

I recollect the prisoners were formed up one day about twenty minutes before the regular time; I saw Mr. Beaumont before six. I thought he was sober; he was certainly confused, and there seemed to be something wrong.

Cross-examined by Mr. BEAUMONT:—Since I came to the Prison, up to March, 1875, when an investigation took place, I never saw any signs of drink on Mr. Beaumont; after that, I did, at different times, see signs of drink on him; but in my opinion he was always fit for duty. I could not see any difference, so far as his attention to prison duties were concerned. I have never known that Mr. Beaumont absented himself from the Prison when he ought to be on duty. The evening before Mr. Stedman went away on leave, Mr. Beaumont came to me and said the Warden had put me in orders to perform Mr. Stedman's duty during his absence, and that in addition, the Warden required me to take charge of the north wing. I have never, myself, when not in the guard room, heard Mr. Beaumont either singing or whistling in the guard room. I have, when in the guard room with Mr. Beaumont, heard him humming a tune and whistling, but not loud, and not to interfere or disturb any one in the guard room or prison. I don't recollect that Mr. Beaumont neglected at any time to collect the keys at evening count.

E. NEWTON.

DANIEL CUNNINGHAM sworn.—I am cook and baker of the Central Prison; I was appointed on 6th May, 1875. I remember the Warden being called away to attend his brother's funeral in July last; the night the Warden was expected home I saw Mr. Beaumont standing first at the Warden's door, and then at the south door of the Prison; I thought he was under the influence of liquor. I did not speak to him. I judged from his appearance. I cannot state the time; it must have been after eight o'clock in the evening.

D. CUNNINGHAM.

DANIEL KIRKPATRICK, sworn.—I am Prison Guard. I was appointed on the 11th September, 1873; on the 13th February, 1876, I saw the late Chief Guard about 8.30 p.m.; he was strongly under the influence of liquor; he was on duty; his appearance and manner led me to believe him strongly under the influence of liquor; a little before ten, the same evening, I saw him, and he was drunk. I saw him going into his bedroom, and he staggered; he should have received the keys from me and other guards, but did not; Guard Dean received the keys; no person but Guard Dean was present. I never saw Beaumont drink any liquor in the Prison grounds. I have seen Mr. Beaumont at the front gate of the grounds when on duty. I have seen him go out of the building when he was on duty, but whether he absented himself, I cannot say.

Cross-examined by Mr. BEAUMONT.

I don't remember of hearing Mr. Beaumont whistling. I said it was the duty of the Chief Guard to receive the keys at night. I judged so, as it was the constant custom then and is so still.

DANIEL KIRKPATRICK.

SAMUEL DEAN, sworn.—Am Prison Guard, was appointed in May, 1876; I remember the 12th February, 1875; I saw the Chief Guard that night; I was guard on duty in the guard-room, at ten o'clock at night I went to Mr. Beaumont's room and found him in bed and asleep; I tried to wake him; I wanted to tell him I was going to lock up the front doors; he did not wake up; I then went down and locked the front door, and then received from Guard Kirkpatrick the key of the south corrider door and locked the grated door and kept the key, I went to go into my own room, and by that time Mr. Beaumont was up, and he stood in his bedroom door and he asked me if I had locked up; I could not say whether he was under the influence of liquor or not; I saw Mr. Beaumont on the 21st June, 1875, on the day of the escape of the prisoner from the rear grounds; Mr Beaumont was on duty; I saw him after ten at night; I was south corrider Guard at the time; I thought he was under the influence of liquor; I judged so from his general appearance and conversation; that night Guard Hardie, who was night guard, was out of the Prison; I let him in at half past twelve; when the bell rang, I thought it was the Bailiff, with prisoners, and on going down, found it was Hardie; he should have been on duty from six p.m.; I did not know he was out until I saw him at the door.

Cross-examined by Mr BEAUMONT:

I never knew Mr. Beaumont to whistle or sing in the guard-room to such an extent as to attract the attention or disturb the guards. I never heard any wrangling or quarrelling in the guard-room when Mr Beaumont was present, during the time he was Chief Guard.

S. DEAN

Adjourned till 10 30 to-morrow

Investigation re-opened, Tuesday 31st October 10.30 a.m.

Mr Beaumont called Captain Prince—Captain Prince produced officers' offence book, in which on 12th June, it appears that Chief Guard Beaumont reported the following officers—1st, Alfred Elliott 12th June, 1872 2nd Michael English, on the 26th October 1874 3rd, William Dougherty 9th October 1874 4th, Daniel McCarty Stewart, 24th October 1874 also, same person 25th October, 1874 6th George Muller, February 13th 1875 John Powell, 19th February 1876 Michael English, 28th June, 1875 Order book produced. In order issued 12th April, 1876 the following order appears "The Chief Guard shall reside upon the premises, occupying the room set apart for him in the guard room which is the south room.

The following order appears under date of August 17th—"Persons are not to be allowed to loiter and wait about the prison grounds and offices, with a view of seeing the Warden or other Prison Official In case the presence of the officer inquired for is not at the time available, the inquirer is to be instructed by the guard to leave a message or memorandum as to his business, and then leave.

W S. PRINCE

WILLIAM HARDIE sworn.—Am night guard and stoker for the Central Prison was appointed two months after the prison opened. I remember the 21st June 1875 when three prisoners escaped from Guard Mansell. I was sent by Deputy Chief Guard up to the field to assist in finding them. I joined the Warden's party on the other side of the field. The Warden instructed me to proceed after them and that he would return and search an orchard close at hand this was between seven and eight o clock in the evening. I returned to the prison about 12 o clock.

WILLIAM HARDIE.

WILLIAM GIFFORD, Guard, sworn.—Am Prison Guard, I was appointed at the opening of the prison. I never heard the Chief Guard whistling and singing in the guard room in such a manner as to disturb the guards I never knew Mr Beaumont when on duty to allow quarrelling and wrangling amongst the guards. I remember one occasion in which a pistol was found in a prison cell. I paraded that morning with a pistol. I had Guard Uniacke's pistol. About ten minutes after the parade, I went to Mr. Beaumont and told him the pistol found in the cell was mine. It is the custom for the Chief or Deputy Chief when on duty to lock the front gate of the grounds at night. I remember the guards giving a party at the Fort; Mr. Stedman was present, he was the officer on duty that night.

William Gifford.

Henry Eames, sworn.—Am Prison Guard; was appointed at the opening of the prison. I never knew the Chief Guard to whistle or sing in the guardroom in such a manner as to disturb the guards. There was wrangling at one time between Mr. Stedman and Doherty, but the Chief Guard was not present. I never saw any wrangling when Mr Beaumont was present. It was the custom of the Chief Guard or Deputy Chief Guard when on duty, to lock the front gate of the grounds. The locking of the corridor gates was often left by the Chief Guard and Deputy Chief Guard to the guards on duty in guard-room; in such cases the keys were taken to the armoury; the small keys taken to the Chief or Deputy Chief Guard, and a report made that all was locked and correct. I never saw the Chief Guard unfit for duty through drink

H. Eames.

Frederick Hill, sworn.—Am Prison Guard; was appointed about March, 1875. I never knew the Chief Guard to whistle or sing in the guard-room in such a manner as to disturb the guards. I never knew the guards to quarrel or wrangle in the guard-room when the Chief Guard was present, [illegible] checked. It was the custom of the Chief or Deputy-Chief Guard to lock up the gate at the front of the grounds when on duty. I never saw the Chief Guard unfit for duty through the influence of drink.

Frederick Hill.

Hamilton Lyons sworn.—I am gate guard. I was appointed at the opening of the Prison. I never heard Mr Beaumont whistle or sing in the guard-room in such a manner as to disturb the guards; whenever there was any wrangling in the guard-room, if Mr Beaumont was present he checked it. I remember the 7th March last, Mr Beaumont paraded Wall Guards as usual; on that occasion he was not the worse of liquor. I never saw him the worse of liquor

Hamilton Lyons

Thomas Short sworn.—Am Bursar for the Central Prison; was appointed at the opening of the Prison. Up to about April, 1875 I computed all the sentences. I entered them in pencil in a book and also made an entry on the back of the papers; from the entries made by me in pencil Mr Beaumont copied into another book in ink; we frequently compared them. I made the entries from convictions; any information contained in the convictions I entered. I entered the termination of sentence as being the same day of the month as the date mentioned in the sentence. I was directed that the sentence must be made one day sooner, which caused several erasures in the book.

Adjourned till 4 p.m. Thomas Short

Resumed at 4 p.m.

Capt. Prince, Warden of the Prison, recalled.—The copy of a letter to the Inspector from me bearing date 17th April 1876 and marked "C" now put in.

(Copy of Letter marked "C.")

Warden's Office, Central Prison of Ontario,
Toronto, April 17th, 1876.

Sir,—I have the honour to inform you that upon my discharging prisoner James Brown on the morning of the 15th inst. the sum of $15 belonging to the prisoner and which was supposed to have been placed with the purse and pocket-book in an envelope, by the late Chief Guard, he having endorsed the envelope to that effect, was not forthcoming. [Endorsement—Received $18, the property of a discharged prisoner Jas. Brown not forthcoming.] James Brown was transferred from London Gaol to the Central Prison, on the 21st August 1874, and at that time Mr Short registered the prisoner's property and having handed it over to the Chief Guard the latter placed it in a parcel or envelope, and after endorsing the same deposited it in the safe. From the mouldy appearance of the package, it is evident that it has not been opened or moved, since it was placed in the safe and it is also very evident, that although the envelope was endorsed by the late Chief Guard as follows:—

"No. 262, James Brown, leathern pocket-book 2 purses, $18.65, the $18 were *never placed* in the envelope. He (James Brown) being a two years' man, I of course paid the owner $18 and I trust, under the circumstances, the Government will authorise my being reimbursed."

Your obedient servant,
W. S. Prince,
Warden.

Which contains a true statement of the facts alleged therein. Mr Stedman went to the safe for the package referred to in letter C. I was in the office at the time; it was all covered with mould, had three or four India rubber straps round it. I saw it opened.

Cross-examined by Mr Beaumont.—It is not customary for Mr Stedman to open the various packages belonging to prisoners in my presence when they are discharged, but he always shows it to me. I always see the money; there were no money packages given out, so far as I recollect, between 8th March and 16th April.

W. S. Prince,
Warden.

Thomas Short recalled.—I remember the prisoner James Brown. I always counted the money found on prisoners. I remember counting the money found on James Brown. I placed it in the package after counting it: $18 bill 65 cents American scrip, 3 cents silver. "pocket-book" is in my hand writing; the other writing is Mr Beaumont's; the book produced is the prisoner's property and receipt-book in use at that date; the entry 262 James Brown two leather pocket-books, $18 bill 65 cents American scrip 3 cents American silver was made by me. I put the package in a tin box I had for the purpose, and locked it up. In January 1875 there was an order for me to hand over all prisoner's property to the Warden, and I complied with the order. I took the book and handed it over to Mr Beaumont, package by package. I can't say that I opened this particular package on delivery to Mr Beaumont. I am satisfied the money was there when I handed it to him. I have no doubt.

Thomas Short.

Captain Prince re-examined.—I have no doubt the package could not have been opened within six months of the time I saw it, as it was all covered with mould, and by taking off the rubber bands the marks were well defined.

W. S. Prince.

Mr Beaumont states that he got the package referred to from Mr Short; that he has no doubt the money was in it at the time; he has not seen the package since until to-day; he did not touch any of the packages received from Mr Short unless the prisoner owning the same was being discharged; he put all the packages received from Mr Short in the safe, and believes they were there when he left.

Attest. S. C. Wood.

Captain Prince, recalled.—Had I known there was any large sum of money I would have checked the contents of the package with the book at the time Mr Beaumont left.

W. S. Prince,
Warden.

Richard Stedman, sworn.—I searched for the money registered as belonging to prisoner James Brown at the time of his discharge; previous to this, I know nothing about the money; the first I heard was when he was leaving; this was the first money of any consequence that was asked for by any prisoner after Mr Beaumont left, up to that time, except now and then a few five cents; the package was mouldered and bore the appearance of not having been opened for some time. I have never received instructions to write for money and there has been no money to write for that I know of since Mr Beaumont left. Mr Newton and myself had charge of the key of the safe, Mr. Newton only having charge during my absence.

RICHARD H. STEDMAN.

CAPT. PRINCE, recalled.—I put in letter marked "D."

(Copy of Letter marked "D.")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 5th May, 1876.

To the Inspector of Prisons.

SIR,—I have the honour to report to you the following information obtained by me connected with the sum of $12.87, the property of prisoner Frederick Willis, which is missing, since the dismissal of the late Chief Guard; prisoner Frederick Willis stated that there was $12.87 belonging to him in the prison. Being aware that the sum of only $1.00 was in his possession at the time of his transfer, which was duly registered in the property book, I referred to that book and found a memorandum in pencil inserted underneath the original register as follows, "A parcel from Hamilton." This must have been written some months after the transfer of Willis. The parcel not being forthcoming but only $1.00 as registered, I sent for the prisoner Willis, who made to me the statement annexed, and marked "A;" after getting this statement I wrote to the police officer who arrested him, a copy of which letter is herewith annexed and marked "B," to which communication I received the following replies, marked respectively, "C," and "D." I recollect the late Chief Guard applying to me for leave to proceed to Hamilton one day, and alluded to obtaining information about a prisoner named McCulloch, who had made his escape. In the interest of justice this man Beaumont should be prosecuted, and I think the best mode of proceeding would be for the prisoner Willis to lay an information against him before the Police Magistrate, upon a charge of embezzlement, or for larceny, both stealing, taking, and carrying away.

I have the honour to be, Sir,
Your obedient servant,
W. S. PRINCE,
Warden.

It was addressed by me to the Inspector on the 5th May, 1876, contains a true statement of the facts alleged therein. The letter marked "E," now put in:—

WARDEN'S OFFICE, CENTRAL PRISON,
May 1st, 1876.

To M. J. McMenery, Police Force, Hamilton.

SIR,—I shall feel obliged by your informing me under what circumstances did Mr Beaumont, the late Chief Guard of the Central Prison, receive a sum of money from you in February, 1875, the property of Frederick Willis? Whether you paid it to him personally; and if so, when did the payment take place; and whether he applied to you for the money?

Be good enough to inform me of the particulars of the case?

Your obedient servant,
W. S. PRINCE,
Warden, C. P.

Is a true copy of a letter I addressed to Sergeant McMenery on the 4th May, 1876. The letter marked "F":—

HAMILTON May 2nd 1876

Capt Prince Central Prison, Toronto.

SIR,—James Beaumont, Chief Guard, Central Prison, called at this office on the 8th February 1875, and told me that he was authorized by Fred. Willis to get from me the money and other property I had belonging to him (Willis). I gave Mr Beaumont twelve dollars and eighty-seven cents, and some other small articles of Willis's for which I took Mr Beaumont's receipt, which is attached to the receipt book in this office.

I remain, yours respectfully,
A McMENERY

Is the reply I received from Mr McMenery and the copy of a receipt—

"Received from A. McMenery $12.87 purse and pair of tweezers, property of Fred Willis.

JAMES BEAUMONT
Chief Guard, Central Prison.

—8th February 1875."

Is the one referred to in Mr McMenery's letter and was enclosed in his letter
Statement now put in marked "E"—

"Frederick Willis, prisoner Central Prison, states as follows —

—Two Detective Police Officers arrested me in the Market Hotel Hamilton on the 19th August, 1874 They searched me in the Hotel and took from me a small leather wallet containing $12.87 The officers took possession of it and stated they would forward it to the gaol. I was transferred to the Central Prison with one dollar on my person I mentioned the fact of the police having my wallet and money to the officer in whose charge I was transferred (Mr Stedman) Shortly after my arrival at the Central Prison I spoke to Mr Beaumont about the money He said he would write for it. After some weeks had elapsed I spoke again to Mr Beaumont, who stated that he had not received an answer but that he would write again A few days after this Mr Beaumont told me that the Chief of Police at Hamilton had the money and that it would be forwarded here and in about a week after the information Mr Beaumont told me in the dining hall that he had received the money

"F P WILLIS"

was made by prisoner F P Willis, the owner of the money while a prisoner I think it was the acting Chief Guard who stated that Willis was complaining that money had been kept from him and knowing that only one dollar was found on Willis at the time he entered the prison, I sent for him and the result was the investigation I never heard of the money until this summer and never gave any instructions to Mr Beaumont to go to Hamilton to get money nor to write for any money I never received by express or mail any money for Willis don't remember ever receiving any money by mail from a Court or a police officer for a prisoner

I knew by the register that there was a dollar belonging to him and on opening the package found the dollar I produce the prisoner's property book in use at that time in which the registry No. 261 Frederick Willis, bill one dollar (in ink) then beneath in the writing of Mr Beaumont, I think in pencil, the following —' and parcel from Hamilton. (I never saw the parcel)

W S. PRINCE.

MR BEAUMONT states.—I received the money placed it in the safe with the envelope containing the one dollar as registered the packet was neatly done up ; the date I received the packet was 8th February 1875 I made the entry on the property book in pencil to distinguish it from the entry made by Mr Short the statement by prisoner Willis is correct in every particular at the time Willis told me about the money being in Hamilton I repeated it to the Warden who told me to write for it ; when I got the money I must have reported it to the Warden.—I can almost swear to it.

(Attested) S C. WOOD.

Richard Stedman recalled.—Some time after Mr. Beaumont left, prisoner Willis told me to give a prisoner going out two dollars; I told him it was not allowed; a prisoner not discharged could not give his money to another prisoner. Some time after he asked me again if he could get his money to buy some clothes; I said, What money? He replied, Twelve dollars in the safe. I said, You have no such money, Willis, all you have is one dollar; he said he was sure he had, as Mr Beaumont told him at dinner table one day, that he had received a note from the Chief of Police at Hamilton, with his money; I reported this conversation to the Warden, between the time that Willis asked me first and his second conversation; I went to the pigeon hole and brought out to the Warden all there was in the safe, which was a yellow envelope and one dollar.

RICHARD H. STEDMAN.

Investigation continued, 3rd November, 1876, 4 p.m. :—

Alexander McMenemy sworn.—Am sergeant in the police in Hamilton; I know Mr. Beaumont. I first saw him in the Central Prison; I was in the Prison on two occasions; I once took a prisoner from here to Hamilton. I saw Mr. Beaumont in Hamilton on the 8th February, 1875; that may not be the correct date; I believe it to be the correct date. I saw him in the afternoon, in the neighbourhood of five o'clock at the police office in the City Hall; he mentioned something about a prisoner who had escaped, and told me that Willis had ordered him to bring the money I had belonging to him, down to the Central Prison. I gave Mr Beaumont the money; it was a ten dollar bill, a two dollar bill, a sixty cent piece and a twenty-five cent piece, a penny, a purse with a clasp on, and a pair of tweezers; I got him a sheet of paper and he wrote the receipt I now produce on my receipt book; it is known as a receipt book, and is kept for the purpose of taking receipts for moneys or property coming into the hands of the police, and delivered to the owners. The following is a correct copy of the receipt referred to :—

"Received from A. McMenemy, twelve dollars and eighty-seven cents, purse, and pair of tweezers, property of Fred. Willis.

"JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February, 1875."

Previous to saying that Willis ordered him to get the money, he asked if I had any money belonging to Frederick Willis, and I said I had; there were three or four policemen present when I gave him the money; Detective Rosseau was one; I have not seen Mr Beaumont since until to-day. I never sent a parcel by post of that description in my life; if I had sent it by post, I would have registered it; if a letter had been sent asking for money to be sent to the Central Prison, in all probability it would be on the file kept by the Chief of Police.

A. McMENEMY.

Adjourned until Tuesday the 7th instant.

Investigation resumed, 7th November, 1876, 3 p.m. :—

Mr Beaumont put in statement marked "B2."

STATEMENT OF JAMES BEAUMONT, late Chief Guard, Central Prison of Ontario.

TORONTO, 3rd November, 1876.

1st. In answer to the Warden's charge of being frequently under the influence of liquor, I deny it; the evidence confirming such statement emanating from Mr Stedman only, whose motive in supporting the Warden to secure my removal was always apparent. The only particular instance which the Warden gives, and states was clearly observable, and remarked by the guards, having been denied by the first witness called upon after Stedman, who it is shown never spoke to me. The evening of the 7th March, 1876, being subsequent to the preferment of the charges upon which my dismissal was based should not be entertained in supporting this charge ; anyhow, it has been denied by evidence upon oath. Guard Kirkpatrick's evidence of one instance included in the charge, is clearly untrue, as he states he saw me at 10 o'clock. Now it has been proved I did not come outside of my room at 10 o'clock at all. It was impossible for Guard Kirkpatrick, who was locked in the corridor, to see me. Moreover, Guard Dean, who spoke to me swears he could observe no such sign. The evidence of the cook and baker is, to say the least, unreliable, inasmuch as he states he saw me but did not speak ; and that was while I was standing under a portico after 8 p.m., in a place where there is not a single outside lamp. Emphasis seems to have been put on the fact of my being on my bed at midnight when prisoner Sparkman was missing. It should be observed that until I was called, the bed was my place. I distinctly deny having tasted liquor on that day.

2nd. The Warden's charge—that I "never reported an officer since my appointment to office" has been so clearly established to be false by his own hand-writing in the officers' offence book, which shows no less than 8 cases—as to require no comment.

3rd. The charge—that I was in the habit of whistling and singing in the guard-room and allowing guards to wrangle and quarrel without check, I most emphatically deny, and have proved its falsity in every respect, no guard having confirmed the statement, but on the contrary all denying it.

4th. The Warden states I would leave the Prison when in charge, and remain away for hours together. This assertion, which I most positively deny ever having been guilty of, on any single occasion has also been rebutted by every evidence except that of Stedman, and he only says he saw me off the grounds on one occasion, and then in company with two guards viz. Bollard and Doherty, the names of these two guards having obviously been selected as they have left the Prison and their whereabouts unknown. It should further be remarked that, although Stedman says on the occasion referred to, he knew I was on duty he admits he did not take any notice of it at the time, neither can he, in this, as in most other cases, give any idea of the date. The statement itself is entirely uncorroborated and most decidedly false. With respect to the case of the man in the hospital being taken worse, and myself not forthcoming, it will be noticed that it was in April, 1875 long previous to the time I was first ordered to sleep in the Prison and up to which time I always left the premises immediately on Stedman's return ; he states himself he was in bed at the time, therefore, it is perfectly certain I had left, as we were never on the premises together at night, prior to the issue of the order above referred to, on the 12th April, 1875. The Warden states he would bring ample witnesses forward to prove this practice being of constant occurrence, and although every opportunity has been afforded him to do so, he has not only entirely failed, but the assertion is contradicted.

5th. With respect to my not having missed a pistol, which should have been worn by a guard on parade, for 18 hours afterwards, the statement is not only false, but entirely one of hearsay evidence. The guard in question having sworn that he did wear a pistol on parade, and informed me of his own being missing ten minutes afterwards; further, I was myself in possession of the pistol in question before parade took place.

6th. The Warden has also been entirely misinformed respecting Guard Langman, as I am prepared to swear. I never paraded him for any duty whatever that morning, which his letter herewith enclosed will show, and which fact can be further proved if necessary.

7th. With reference to certain scandalous behaviour on the part of the officials of the Prison, which was elicited on an investigation held by the Inspector of Prisons some time ago, it will be seen by the proceedings of that investigation, that I was neither on duty nor in the Prison on the night referred to, Stedman being in charge ; yet, the Warden asserts I must have been aware of it ; the assertion is entirely void of truth and not evidence.

8th. In the matter of the keeping of the register, I consider the explanation afforded, the inspection of the books, and the evidence of the Bursar clearly proves to any impartial judge, that no irregularity has been fixed on me whatever, the sentences not having been computed by me but merely copied from the Bursar's entry, in whose charge the convictions were at that time.

9th. The Warden's statement about the contractor and other gentlemen having been informed by me that they could not see the Warden, is true, so far as Mr. Godson is concerned. This gentleman called up early one morning before the Warden was about, and I informed him of my instructions as per order of the 17th August, 1875, on which he left. Mr. God son will state that the Warden was not in the front grounds at the time, and as he asserts.

10th. In the matter of the keys, it has been clearly established that, the three keys not locked up, were the three keys in charge of the Warden, and which he sometimes kept in the office and sometimes in the house.

11th. Further, the charge of my neglecting to communicate the Warden's orders was tried to be supported by Stedman's single evidence, and that hearsay, Deputy Chief Guard Newton, swearing quite the contrary on personal knowledge.

12th. During the course of the inquiry, the Warden endeavoured to establish an act of neglect on my part, in allowing Guard Hardie to absent himself from the Prison a portion of the night on the 21st June, 1877. Now, it has been clearly established on the sworn testimony of Guard Hardie, and is well known to other guards, that Guard Hardie formed one of the Warden's searching party on the night in question, and was ordered by the Warden to continue proceeding westward, about two miles, and it was then 8 p.m. Without going further into the details of this matter at present, it must be obvious that the charges brought against me by the Warden, stand, not only in a large part uncorroborated, but positively refuted. It may have been noticed that, in the evidence of Stedman, the most essential point, viz.:—The fixing of dates for particular acts, was quite ignored, which cannot be considered satisfactory. That my position as Chief Guard, was in every possible way made uncomfortable was patent to all, and is also evident from the framing of my duties in the last issue of the by laws, which not only details more work than any one man could reasonably perform but directs me to be incessantly on duty, day and night. To add to this, I was repeatedly being called upon by the Warden to attend to matters connected with his domestic household which, I could not but consider derogatory to the position which I held, and which the accompanying documents will show. I believe, this was done to bring my position down to a level with Stedman's, who voluntarily performed such menial offices, as washing the Warden's dogs, assisting to decorate his dinner table, &c., while he should have been employed on the duties of the prison. Having served over 19 years in H. M. 13th Hussars—17 as a non-commissioned officer without having given a single occasion for the charge of intemperance, I consider due care should be shown in accepting the evidence against me from a man who during his service in the police was not recognized by the public as of temperate habits himself, and whose acts of intemperance since his appointment as Warder, can be proved. Taking every thing into consideration, I respectfully submit that, my dismissal was brought about first, by false statements made to the Warden by an individual who was interested in securing my removal, and secondly, by the evident desire of the Warden to depose me, leading him to exaggerate and add to their untruthfulness, and upon whose mere recommendation my dismissal was summarily granted in an unjustifiable manner, on the grounds that a precedent can be found in the acts of another country. In conclusion, I consider that the necessary steps as required by existing rules not having been taken, was to act contrary to the law, and renders my dismissal unjust and illegal.

(Copy of Letter from Guard Langman, referred to.)

School of Gunnery
Kingston, May 27th, 1878.

Mr. Beaumont.

Sir,—I am writing this letter for Langman, in consequence of his being in hospital and unable to do so himself. On the Monday morning that I returned to the Central Prison, a little the worse of liquor, I was not paraded by you or passed for duty, but was ordered to remain in the guard room, that was before I had been on any duty that day. The above statement I am prepared to swear as being true. Any further information required in reference to the foregoing I will be most happy to give.

I am, dear Sir, yours respectfully,
H. Langman.

EDWIN NEWTON recalled.—I recollected a prisoner, a carpenter I think; his name was Clarke; it was either Clarke or Smith; putting up pigeon holes and fittings for books in the safe of the Warden's office after Mr Beaumont had left; it may have been some seven or eight days.

E. NEWTON.

W. F. AIKINS sworn.—Am surgeon for the Central Prison; was appointed at the opening of the Prison. I remember in 1875 on visiting the hospital, I was told that a prisoner named Williams who was in Hospital, had taken an overdose of medicine; the prisoner was over the effects when I came.

Adjourned.

Resumed.

JOHN ENGLISH sworn.—Am prison bailiff; was appointed at opening of Prison, about two years ago, I think in July 1874, I was at the Central Prison in the office of the Warden; the Warden handed me a letter to the Chief of Police at Hamilton; my recollection is that it was a letter from Capt. Henery to the Warden and that the Warden wrote on the other side of Henery's letter the order to send the money here by me. I took the letter to Hamilton, called at the Police office, enquired for the Chief, who was absent. I then told one of the sergeants what my business was and he referred me to Detective McMenery; he had the money. I said I had not time to wait, and that I did not know Mr McMenery, but to tell the Chief to send the money to the Warden, and he would send a receipt.

JOHN ENGLISH.

Adjourned.

Original Papers referred to in the investigation of the charges preferred against Chief Guard Beaumont of the Central Prison.

HAMILTON, 9th Nov. 1876.

Capt. Prince,
Central Prison.

SIR,—Enclosed please find declarations from Rosseau and Capt. Henery in the Beaumont matter. I think that ought to convince even Beaumont himself, that he is mistaken. I am sorry I could not have sent them sooner.

I remain, Yours &c.,
A. MCMENERY,
Serg't.

I John R. Rosseau, of the City of Hamilton in the County of Wentworth, Constable, do Solemnly declare, that Detective McMenery and I arrested Fred. Willis together. McMenery took possession of his money and things and I saw McMenery pay Fred. Willis's money to a guard from the Central Prison in the Police office, in the City of Hamilton. The money was paid to a guard that was making inquiry about a man named McCullough, who broke out of the Central Prison. I also saw him, the guard, write a receipt for the money in the Police office at Hamilton.

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me, at the City of Hamilton, in the
County of Wentworth, this 8th day of November
A. D. 1876.
James Cahill,
P. M. & J. P.

John R. Rosseau.

I, **John Henery**, of the City of Hamilton, in the County of Wentworth, do Solemnly Declare, that in February, 1875, I was Chief of Police of the City of Hamilton. I received a letter from Capt. Prince, dated the 27th January, 1875, in reference to Fred. Willis' money, and in the beginning of February I remember McMenery who was then detective, coming into my office and telling me that he had paid Fred. Willis' money to James Beaumont, Chief Guard, Central Prison, and at the same time producing Beaumont's receipt for the same, which he attached to the receipt-book kept in my office; I am positive the money was paid to Beaumont in the Police office in this city.

And I make this Solemn Declaration conscientiously believing the same to be true and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me in the City of Hamilton, in the
County of Wentworth this 7th day of November,
A. D. 1876
J. White, Jr.,
A Commissioner, &c., in B. R. & C., in and for the County of Wentworth.

John Henery,
Late Chief of Police.

19th April, 1876.

SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, informing me that on your opening an envelope, said to contain the sum of eighteen dollars, taken off the person of Prisoner James Brown, the said money was not found enclosed therein, and stating further that such package had been made up and was placed in the care of ex-Chief Guard Beaumont. Before recouping you for the amount which you state you have paid over to the prisoner I must make further inquiries into the matter with a view of discovering who has been guilty of abstracting the money in order that such person may be prosecuted criminally

I have the honour to be, Sir
Your obedient servant,
J. W. LANGMUIR,
Inspector of Prisons.

Captain Prince,
Warden of Central Prison Toronto.

Extract Conviction—The Procurator Fiscal against James Beaumont.

At Perth the third day of May eighteen hundred and sixty-one years. In presence of Hugh Barclay Esquire, Sheriff-substitute of the County of Perth, and a jury sitting in judgment in a Sheriff-Court of the said County lawfully fenced and affirmed anent the criminal libel or complaint raised at the instance of John McLean, Procurator Fiscal of Court for the public interest, against James Beaumont, now or lately prisoner in Perth prison, accused of the crime of Theft, or Reset of Theft of a silver or other metal watch, actor or art and part. And at calling of said criminal libel or complaint, upon the date hereof, in presence of the said Sheriff-substitute compared the panel, and the libel having been read over to him, and he having been interrogated thereon, he answered that he was guilty of Reset of Theft, as libelled. The Procurator Fiscal accepted of the said plea.

JOHN THOMAS

The Sheriff in respect of the foregoing judicial confession of the panel granted, and hereby grants warrant for committing the said James Beaumont to the Prison of Perth, therein to be detained for the period of one calendar month.

JOHN THOMAS.

Extracted by me

Sheriff Clerk of said County

Where not printed written by Adam McKenzie. Collated by John Thomas

Signed at Perth, the 15th day of December eighteen hundred and seventy-one years

CANTERBURY 28th November 1878.

From O. C. Depôt Troop 13th Hussars.

Imprisoned by Civil Power for Felony from 6th April, 1861, to 1st June, 1861
Tried for Disgraceful Conduct from 2nd June, 1861, to 24th June, 1861
Reduced by C. M. to Private, from 25th June, 1861 to 8th September 1861

SIR,—In reference to the sheet of private James Beaumont, I find that the entries of convictions against him, are as per margin. You will notice that though there are three entries, the various terms of imprisonment seem to run into one another over a period of from 6th April 1861 till 8th September 1861

I am Sir your obedient servant,
C. W. FOLK,
13th *Hussars.*

To the Warden Central Prison, Ontario.

The undersigned has the honour to submit for the consideration of Council the evidence taken at the recent investigation into the management of the Central Prison

It will be remembered that since the dismissal of Chief Guard Beaumont in March last, complaints have been made as regard to the Central Prison, but that as they were supposed to emanate principally from discharged officials, it was not until some time afterwards, considered necessary or advisable to hold an investigation.

Owing to the time of the Inspector being fully occupied, and from other causes, some unavoidable delay took place and although the Government had determined in September, that I should hold an investigation I was not able to enter upon it until the 31st October since which time, with the exception of two or three days I have been continuously employed in examining into the affairs of the Prison. I have taken the evidence of all the officers of the Prison, and such others outside, as were supposed to be able to give any reliable information.

I may state that when the Central Prison was completed, it became necessary to obtain every possible information, not only as to general management, but also as to the mode of punishment of prisoners in similar institutions and for that purpose the Inspector the Warden, and the Chief and Deputy Chief Guards made separate visits to several of the Industrial Prisons in the United States I was not then a member of the Government, but after carefully considering the evidence I must come to the conclusion that, on the part of Inspector and Warden from the opening of the Prison until the present time, there has been a determination to establish at the Central Prison not only the very best prison regulations but also to adopt such a system of punishment as would enable the officers to enforce discipline, compel the performance of labor and secure order thereby accomplishing the object the Legislature had in view in establishing that institution.

The most successful industrial institution in the United States both as to prison management and financially is the Albany Penitentiary and the system of punishment adopted at the Central Prison is not so severe as to duration, but in other respects is the same as practised there.

Once having decided as to the kind of punishment, the application and severity must to a great extent be left to judgment of the Warden and the supervision of the Inspector

While all the Industrial Prisons in the United States have printed rules, none, as far as we have been able to learn, have printed or written regulations as to punishment the severity and kind of punishment being determined by the practical experience of the officers in charge, on the peculiar ideas entertained by the different Prison Boards, or those who have the power to determine In awarding punishment the Warden is guided by the nature and frequency of the offence the previous conduct, and the age, health and constitution of the prisoner

The evidence shows that strict discipline prevails in every part of the institution that every thing is done in order and the regulations adopted by the Inspector for the management of the Prison have proved most effective.

It was impossible to foresee all the difficulties surrounding the management of the Prison and the rules have been from time to time amended as experience was obtained.

We have over three hundred and thirty prisoners in the Central Prison; a large proportion are criminals of the worst kind, some have served a term in the Penitentiary at Kingston, others in one or more of the prisons in the United States; others again are serving out a second or third term here. For the protection of the officers, for the safety of the Prison, for the proper carrying out of our contract with the Car Company, and in the interests of justice (if the Prison is to be considered a place where crime is punished) it is imperatively required that strict discipline be enforced.

Laxity of discipline would result in insubordination and mutiny; our guards overpowered, and the danger of our three hundred criminals being let loose on the country.

On the other hand, if we expect the prisoners to work, obey the guards, and be subservient to prison rule, the punishment of an offence must be prompt, and of such a character as the nature of the offence and the surrounding circumstances require.

Before arriving at the conclusion that the punishment awarded in any instance by the Warden has been unduly severe, it is necessary to consider all the facts, and as I shall have the honour in a short time to submit a full report on the mode of punishment in the Prison, and, as far as possible, in similar institutions in the United States, I will defer giving any opinion as to the system adopted, or the punishment awarded, until then.

If there has been an error on the part of the Warden, in awarding punishment, I am satisfied it has not been of a serious character, and has been from no inclination on his part to be unnecessarily severe, but rather from a natural anxiety to preserve the discipline of the prison. The activity and intelligence of Mr Stedman may have induced the Warden to throw upon him more responsibility than should be entrusted to a subordinate. Mr Stedman, formerly Deputy Chief Guard and for the past few months acting Chief Guard, is an active, intelligent, brave, determined man, and a strict disciplinarian. The Superintendent of the Albany Penitentiary in a letter dated May 20th 1874, addressed to the Inspector says: "Mr Richard Stedman has, for the past month, been with me, making himself acquainted with the various duties of the different prison officers, and it affords me pleasure to state that I consider him well adapted and qualified to fill any position connected with a prison. I do not think I have ever met a man (not brought up to the business) who possesses so many of the qualities necessary to the proper discharge of the duties of a deputy warden as Mr Stedman."

The Prison Surgeon,—Dr Aikens,—who visits the prison daily, and is in constant communication with the acting Chief Guard, speaks in high praise as to his ability as a prison official, and states that he does not believe him to be a cruel man. The Warden of the prison also in his evidence gives Mr Stedman a high character and says that he (Stedman) "has been the support and mainstay of the discipline of the prison." While the evidence proves that Mr Stedman is in many respects a good officer, it also discloses the fact that he has been unnecessarily severe in the treatment of prisoners. Having heard that I had come to that conclusion he has placed his resignation in the hands of the Government, which I recommend should be accepted.

I have much pleasure in stating that the reports as to guards being unfairly treated by the Warden and Chief and Deputy Chief Guards, on account of their religion, are untrue.

All the guards have been questioned on this point, and their reply invariably was, "We have not seen any difference in the treatment of the guards on account of their religion."

Every opportunity was given to the different persons examined to make a full statement, each being assured that the evidence he might give would not affect his position in the prison. It is due to Captain Prince, I should state that there has not been any evidence given reflecting in any way on his personal character, and I feel bound to add that the present state of the prison and the discipline in force there, are highly creditable to him as Warden, and it must be gratifying to him as it is to me that, after an exhaustive and searching investigation, nothing has appeared reflecting on his management of the prison further than might be charged against any efficient warden and strict disciplinarian.

Our Central Prison is second to none in America. Its management is equal to any, and much of the credit of its success must be attributed to Captain Prince.

Respectfully submitted,

S. C. Wood,
Provincial Secretary

Toronto, 13th November 1876.

TORONTO, 17th August, 1876

SIR,—Certain rumours have come to my ears, and doubtless have also found their way to members of the Government, which cannot but seriously affect the characters of some of the officials of the Central Prison, if not my own as Inspector, and what is of still greater importance, from a Government stand point, are calculated to do serious injury to the prison itself as one of the Institutions of the Province. It is true that these rumours have so far as I can discover, been set afloat by persons who have been dismissed from the prison service, or by disaffected officials now in the service, and should therefore under ordinary circumstances, and nearly always, be taken "*cum grano salis*" still I am of opinion that a full and searching inquiry should be made into all the rumours and reports that are so prevalent, and into all matters connected with the management and discipline of the prison.

As I am informed that one of the charges preferred against me is that I have favoured certain officials on previous examinations, and in my capacity generally as Inspector I would strongly recommend that, in the interests of the prison, and all concerned, the examination be conducted by two members of the Administration. This seems to me to be the more necessary as I have recommended for promotion and advancement, one of the officials whose character is most seriously assailed by these rumours.

I am,
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon. the Provincial Secretary

INVESTIGATION into the General Management and Discipline of the Central Prison, held in the office of the Central Prison commencing on Tuesday 31st October 2 P M

THOMAS SHORE sworn,—Am Bursar of the Central Prison, at the opening of the institution I had charge of the stores, the Chief and Deputy Chief Guards especially the latter were overbearing and arrogant in their treatment of me —they would come into my office at irregular hours, and demand the delivery of stores,—sometimes verbally and sometimes on slips of paper without regular requisitions, at that time there were no forms of requisition these demands were made in an overbearing disagreeable manner, I cannot recollect the language or specify the time when I objected I was told by the Deputy that it was done under the orders of the Warden and that he knew no other authority a copy of rules were prepared and handed to me by the Chief Guard by order of the Warden he said they were for the guidance of the officers, myself included I have nothing to complain of now as to the arrogant manner of the guards referred to or as to the delivery of stores I took a copy of the "Rules" to the Inspector who told me that the officers complained of had nothing to do with me whatever after that especially after the delivery of the store was handed over to the Steward, I experienced no open hostility but was told by the Prison Bailiff that the Deputy said in the office that the Chief would soon occupy my chair and that he, the Deputy aspired to his (the Chief Guard's) position, on his way to a higher —meaning the Wardenship, this was the expression of the Bailiff Storekeeper McCarthy told me that the Deputy Guard stated in the guard-room that the Warden could sack any man in the Prison including myself I frequently heard expressions of hostility to others, especially the Bailiff Steward and Cook, on the part of the Chief and Deputy Chief Guards, and against one or two of those whom I esteemed the most reliable and respectable of the guards, viz.—Coutts Axworthy and Gracey two of these men told me they were so annoyed by the arrogant and overbearing conduct of Deputy Chief Guard Stedman that they were obliged to leave their situations in disgust these two were Axworthy and Coutts Gracey previous to his leaving told me he intended to resign on account of the treatment he had received he did not state whether it was Beaumont or Stedman he complained of

I consider the treatment of the prisoners by these men (Beaumont and Stedman) on what I considered good evidence, especially of those who tried to conceal themselves with a view to escape, as unnecessarily severe; Elliott, a Hospital Guard, and Clarkson, the Engineer, were among the persons who gave me the information; the acts of cruelty towards the concealed criminals were beating by the guards; Clarkson told me their cries could be heard outside of the Prison ground, and Elliott told me he saw them beaten; I cannot state how many were beaten; Mr. Elliott did not tell me how many, he spoke of the severity; prisoner Hunt, who was allowed to assist me in my office, in the summer of 1874, and who was highly spoken of by Sheriff Munro, of the County of Elgin, told me that Mr. Stedman asked him if he had heard any of the employees speaking against the officers of the Prison, and intimated that if he, the prisoner, would give him, Stedman, his confidence, it would be better for him; Hunt's not reciprocating resulted in his being harshly treated by Stedman; he showed me a mark on his wrist, which I also saw after he left the Prison, which he said was made by Stedman striking him with a loaded stick, because he saw ink on his sleeve where he had wiped his pen.

About this time I was temporarily absent, and on my return I found he had been removed from my office, and was employed in the yard; I applied for his restoration, which was not granted until I complained to the Inspector, who ordered his return to my office; on the 30th October, 1874, at about 3 p.m., I received instructions from the office of the Inspector to furnish a list of the names of 200 prisoners then actually in Prison to the Car Company on the following day; to do this, and to prepare a copy to retain, I returned to the office in the evening, and told the prisoner to remain and help me; about 8.30 Stedman came into the office, and motioned the prisoner to go to his cell without speaking to me; he looked from his work to me for direction and I explained to Mr. Stedman the necessity that existed for his remaining; he said he would see the Warden about it, and went out; the prisoner remained until I had finished; prisoner Hunt's hair was cut short the day before he was discharged; Hunt told me the Deputy ordered this to be done; he was examined after it was cut, and was sent back a second time by the deputy; I paid his board for several days after his discharge, until his hair grew, so that he could go out and look for a situation. I heard that Mr. Stedman said he would put a stop to officers taking their friends through the prison without a pass; this was in the summer of 1874; a short time afterwards I heard that an order was placed in the books to that effect. As I expected some friends of mine to visit the Prison I spoke to the Warden about the order, who said it was not intended to apply to me, but only to the Steward and Cook; I am not certain but I think it may have been either the Bailiff or Mr. McCarthy, the Steward, who told me what Stedman said. On one occasion, when two friends called on me, we went up the tower on the invitation of the Wall Guard; the Warden noticing this, censured the Wall Guard, at least so I was informed; I had formerly a prisoner to assist me; in the spring of 1875 I asked for the continuance of a prisoner to assist me in my office, but was refused, and have not had one since, although a prisoner is allowed to assist the Storekeeper. (Letter marked "A" now put in.)

Copy of letter marked "A."

BURSAR'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 4th October 1875.

SIR,—I have the honour to call your attention to two inaccuracies in the weekly statements of prison labour supplied to contractors, which have been sent to me. I went to your office to see the Chief Guard, by whom they were prepared, with a view to having them corrected. He being absent from the office, I left a message, requesting him to come to my office to make the corrections, but subsequently received a reply that he was forbidden to come, so that I have failed in getting the matter explained, or corrections, if necessary, made.

I have the honour to be,
Your obedient servant,
THOMAS SHORT,
Bursar.

Captain Prince,
Warden Central Prison.

This letter is one that I sent to the Warden on 4th October 1875. On the back is the Warden's reply and a note by Mr Beaumont the Chief Guard.

Copy of reply

The Chief Guard has received no orders of the kind. He shall attend your office to-morrow morning. He is on leave to-day

W. S. PRINCE,
Warden.

Note.

MR. SHORT —In reference to the above, the Warden distinctly ordered me not to go to that portion of the Prison in which your office is placed, except once a day to draw stores. When I reminded him of that order he told me he only intended it to refer to the store-room.

JAS. BEAUMONT,
Chief Guard.

The Chief Guard told me he was told especially that the reason the order referred to in the letter was given was, "that there was intriguing going on in that office, meaning my office. On Saturday the 27th May 1876, I sent the Storekeeper to the Warden's office with a pay sheet to sign, and a cheque to hand to him. On the Monday following an order was placed in the book forbidding anyone, except the Inspector the Chief and Deputy Chief Guards, to enter the Warden's office. Mr Stedman showed me the order and explained that it was intended only to apply during the Warden's absence subsequent to this order the Storekeeper mentioned that some goods were wanted I told him to make out a requisition, and get the approval of the Warden in the usual way as I was going to the City He prepared the requisition and went to the waiting room, and was told by the guard that, although the Warden was in his office, he could not enter neither could he, the guard, go in with the requisition. Mr McCarthy can give the name of the guard (copy of order referred to and marked "B," is now put in)

—CENTRAL PRISON May 29th, 1876.

(5) "He shall see that the door of the Warden's office is kept closed, and that no person enter therein in the absence of the Warden except the Inspector of Prisons, the Chief Guard and the Deputy Chief Guard On Saturday afternoon, all communication with the Stores Department shall be closed after 3 o'clock."

I am convinced that there is a disposition on the part of Stedman to hound down and annoy the Storekeeper As an instance the sudden removal of Willie, a well-trained prisoner who had been employed in the lower store as butcher etc and who had proved himself clean, active and civil, and was thoroughly conversant with the duties required for some alleged offence committed outside, he was punished, and afterwards sent to work at the stone pile instead of being returned to his duties in the stores and another man was sent in his place.

I felt this the more as the man sent in his place (a prisoner from Ottawa) although a butcher had a very bad reputation outside. It had always been the system before that when a man is likely to be discharged from his position another is put with him so that the new man may become conversant with his duties. I spoke to the Warden about the man being taken away and this man from Ottawa sent in his place, but nothing was done. At the time I spoke to the Warden I knew nothing about the character of the new man. During the past year I have no reason to think that the Catholic guards are not treated fairly on account of their religion. I have not seen any brutal treatment of prisoners at any time. As far as I know Stedman is attentive to his duties. A short time after the opening of the Prison it came to my knowledge that some prison shirts had been cut up, and made into under-clothing for Mr Stedman. Some of the pieces left were brought into the store. Mr McCarthy (the storekeeper), may have been the party who told me I have heard that Mr Stedman removed articles made by the prisoners. Mr Metcalfe was at one time bailiff of the Court.

THOMAS SHORT.

Investigation adjourned till 2 p.m. to-morrow 1st November

Investigation resumed 2.30, p.m., Wednesday, 1st November, 1876.

JOHN ENGLISH, sworn.—Am Prison Bailiff; was appointed at the opening of the Prison. I have not been in a position to see any act of cruelty in the acts of the officers of the Prison, and never did see any. About a year and a half ago I took three lunatics to London Asylum from the Prison. Sometime before this (about three weeks), I was in the Prison, and heard the yells of a prisoner and the sound of blows. Guards Mansall and Gifford came into the guard-room, and said it was a shame to lick a crazy man. I replied, "Why did you lick him?" They said that it was not they who did it, it was Stedman. They said he struck him (the crazy man), with a key, and bent the key on him; and knocked his head against the wall, and knocked the blood out of his head on to the wall. When I got to the Asylum, and after they were undressed, Dr Lett told me that one of them was fearfully abused, and he felt it his duty to report the case to the Government; that he knew I had not committed the acts of cruelty, because the marks were of too old a date. He also said they were filthy in their persons. The lunatic's name was Edwin Lewis. About fifteen weeks ago I was in Hamilton. I was in the Court House while the Court was going on. The County Judge sentenced a prisoner to a year and a half in the Central Prison, whereupon the prisoner begged to be sent two years to the Penitentiary instead; saying he would rather be sent to hell for a year than sent to the Central Prison, owing to the treatment he had received when there before, and the Judge gave him two years at Kingston accordingly. Capt. Henery, the Gaoler of Hamilton Gaol, can give name of prisoner. About nine months ago I was at the Court in Hamilton, and heard a prisoner beg to be sent to the Penitentiary for two years instead of one in the Central Prison; the Judge sent him to the Penitentiary. Capt. Henery will know the name of this prisoner also. I have heard of excessive acts of cruelty, but cannot give names.

I have not been satisfied with the treatment I have received. I have been locked out, when on time, when boarding in the Prison. One time I was locked out, I rang the Warden's bell, and he (the Warden) let me in, and stated that I was in time. I ceased boarding at the Prison on the 14th April, 1875. Frequently when coming to the Prison with prisoners, I have been kept waiting for twenty minutes in the storm and cold. I have now a key. About six months ago, I brought a number of prisoners to the Prison; it was about 12.30 o'clock at night. I rang the bell, but no one answered for at least fifteen minutes. I then rapped on the window and Guard Fraser then let me in. He said "you must not blame me for keeping you waiting, as I could not wake Stedman up." The next morning I was in Mr Shortt's (the Bursar's) office when Stedman came and told me the Warden wanted me. I went to the Warden's office. The Warden asked me what the devil I made such a noise for last night. I said to get in. He said that within eleven seconds from the time I rang the bell the guard opened the door. He said Mr Stedman told him so. I told him to call in the man who let me in. Guard Newton came in, and the Warden asked him how long it was from the time I rang the bell until he (Newton) opened the door, and he (Newton) said two seconds. I said to Newton "Did you let me in last night?" and he said "Yes, of course." I asked him if that was a put up job between him and some one else to entrap me, and I asked the Warden to send for Fraser the guard who did let me in. Mr Beaumont told the Warden that Guard Fraser was on guard the night before. Guard Fraser came in, and I asked him if, when he let me in last night, he did not say, I must not blame him, as he could not wake Stedman up? He said he did so. Stedman said he was awake, as he knew the prisoners were coming up. Fraser replied "I mean until you answered me. I do not know whether you were awake or not." Immediately after that the Warden gave me a key which I have used since. About six months ago I was in the Prison; my son, who is five years old, was with me. I started to take him to the water closet when Guard Dean stopped me. He said there was an order on the book to prevent any children going through the door. I then went to the Warden who ordered the guard to let me through. About a week ago the same thing occurred again. Guard Mansall was on guard. He opened the gate and let me through. When I came back Guard Mansall told me that Stedman attacked him for letting me through. Mansall said he did not know it was wrong. Stedman said there was an order in the book against it. Mansall said he never heard of it, that it never was read to him. Mansall said Dr Aikins (the surgeon) brings his children in, and why not the Prison bailiff.

I have been told by discharged prisoners that Stedman questioned whether I gave them liquor at the Marlborough House on the way to the Prison.

I have given the prisoners liquor but not lately Mr Langmuir (the Inspector) told me it was wrong to do so. Prisoner Marron from Brockville was here twice, and when discharged the second time, he obtained a pass from the Warden.

About two years ago I saw Guards Bollard O'Brien and others, drinking liquor in McCarthy's room I have seen cards being played on the premises I saw Bollard very drunk in the guard-room. Have seen Beaumont under the influence of liquor twice. I never saw Beaumont or Stedman present at any time when card-playing or drinking was going on, or when there was quarrelling or wrangling going on I have never given any information to any one connected with the press as to the transactions in the Prison.

Shortly after I came here, Stedman said, pointing to the Bursar's chair that Beaumont was fitted for that, and that he would soon have it. I have not noticed any difference shown to any one in the prison on account of his religion.

DANIEL MCCARTHY sworn.—Am storekeeper Was appointed on the opening of the prison. At the time when the prisoners concealed themselves with a view to escaping I heard their cries when they were caught. They screamed very loud Cumstock was one I forget the others. I ran out and think I saw a blow or two struck. I did not see the prisoner afterwards. I was unwell for two or three days after this from the effects, having never seen anything of the kind before—this was a short time after the prison was opened Since April, 1875, I have seen little that is going on in the prison, being employed in the storeroom. Since April, 1876, I have kept away from Stedman. Prisoner Willis who was detailed for store work, was bringing in milk by the upper door of the storeroom, Stedman said, you must not go in by that door you must take it up by the lower door I am of opinion that Mr Stedman has full control and that the Warden upholds and endorses him.

I remember prisoner Hunt, I know his hair was cut short the day he went out. They call it a cannon ball cut

Mr Stedman did not say to me that he would put a stop to officers taking their friends through without a pass. Have charge of prisoners. Know what is given to prisoners. Consider the prisoners are well fed. When there is no work the quantity in meals is reduced. When the institution opened the tailors were making clothes promiscuously for every body and it was stated that one sheet was cut up for a pair of drawers for Stedman. I have never missed anything out of the stores.

We were hardly opened, when the prisoners were prevented from kneeling down when Father Rooney was holding service. Stedman said it was the Warden's orders that they were not to kneel down. Father Rooney demanded to see the Warden Stedman said go on, the prisoners might kneel down One Sunday Stedman kept his hat on during the Catholic service. He stood beside the altar I heard the Warden say to Beaumont and Stedman they were to hound us down. I said to the guards I want you to bear that in mind The Warden said "I did not mean that, I want you to watch him as a cat watches a mouse" One other occasion when Guard Somers was appointed in the absence of the Warden, he was sworn in by Mr Beaumont I think

The first Sunday he put in an appearance he was seen by Deputy-guard Stedman on his knees. He (Stedman) came running down after service was over Mr Beaumont, Beaumont Beaumont you have sworn that man in, he is a Papist! if the Captain was here he would not have done it." This Beaumont told me. Guard Gifford told Mr. English that Stedman called him into the Warden's office as he was passing down the lawn one Sunday afternoon in company with me and said "now I want you to help me to get rid of these two Papists." Guard Lyons hinted to me the same thing Acting on instructions from the Bursar on the 27th May or thereabouts I took a pay sheet for the Warden's approval and was not allowed to enter his office Guard Wood was on duty and he said he could not go in with a pay-sheet, no guard other than the chief and deputy being allowed to enter that room The same morning I wanted to go to the water-closet, and had to explain to the guard where I was going, Mr Stedman standing by laughing. I felt that Beaumont and Stedman were opposed to me. I never saw Beaumont or Stedman under the influence of liquor I never saw Beaumont drunk on the premises. I never gave any information to the press regarding the affairs of the prison, except stat-

ing to Patrick Boyle, that Captain Prince said he would "hound me down." The Inspector always gave every attention to any complaints I made.

D. McCARTHY,
Storekeeper.

EDWIN NEWTON, sworn.—Am acting Deputy Chief Guard. Have been guard since 5th July, 1874. I had served in the Royal Artillery nearly 20 years prior to my entering the prison. On the first Monday when I commenced active service in the prison at 6.45 a.m., I was falling in the prisoners of gallery No. 4 when I heard a noise in the rear part of the gallery, and on looking round saw Mr. Stedman striking prisoner Charles Gibbons with a walking stick. Stedman said it was because he did not walk well. He struck him two or three times on the heels. The prisoner cried out and lifted his feet, he is an old man of 65. I have not seen any other acts of cruelty. I have seen no difference in the treatment of the guards by the Warden, Chief Guard, or deputy on account of their religion. I have known of lots of instances where persons have been put in irons without their case being first reported to the Warden. One is the case of James Eyre. I remember his case as he made a great fuss in going there. I recollect the case of six men being put in irons by the order of the Warden, they were sent in one frosty morning. They were reported by Guard Wall, who was not the guard directly in charge, Guard Gifford was the guard in charge. They were reported for refusing to work, or not working (this was in the winter of 1876). The Chief Guard received the written report signed by Guard Wall, and countersigned by Guard Gifford. When the Warden came in Mr Beaumont reported the case, and the Warden ordered them to be placed in irons. I placed some of them in irons myself, and as I was doing so, the men complained, and said they were brought in unjustly, that there were 24 men of their gang employed shunting the cars.

Adjourned the investigation, and resumed at 7.30 p.m.

Guard NEWTON recalled.—They stated that in consequence of there having been twenty four men around the car there was not sufficient room for all to push it, and the guard (Gifford) in charge had not found fault, and they requested the Warden might be informed of it. I told the Chief Guard (Beaumont) and he told me to inform the Warden. The Warden then sent for Guard Gifford and after hearing what he had to say he released the six prisoners. George Newbold, a prisoner, was placed in irons by Stedman, and James Hickey, a prisoner, was placed in irons by the Chief Guard, without their cases having been first reported to the Warden. This was since January, 1876, and some time in 1875. The other day a prisoner—at present a cook in the kitchen—was ordered to be deprived of his bed for the night. I referred the case to Mr Stedman, who found he was the wrong man. His case was not referred to the Warden. I think Mr Stedman assumes too much authority in ordering prisoners to punishment without first consulting the Warden. Prisoners have complained as to the sufficiency of food. I consider the food now furnished sufficient. The complaints are, that when vegetables were out of season the soup was scanty, and not of good quality, and then the men complained, but these occurrences are rare. The cooking at times is inferior, soup too watery, too much made, more than was necessary. I knew Guard Coutts. I do not think he was quite sane. He could not be trusted with a pistol. I know Guard Gracey. I consider him a good guard. Mr Stedman had two easy folding chairs made in the Prison. I don't know whether he furnished any of the material. He had an inlaid loo-table and an inlaid box made by two men named Collingwood. I know Guard Uniacke. I know nothing about his getting trees. I got permission from Mr Stedman to get a glass case for an ornamental clock, which was done, and I had a picture painted, it was painted in my own room. I know prisoner Walter Jones, he was employed cutting ornamental bone work for Mr Stedman, also vegetable ivory work. He was employed for a considerable time, he worked in his cell and Mr Stedman's room. This was previous to an order issued by the Warden forbidding work of this kind. I knew prisoner McCarthy. He was employed painting in the south machine shop and in Mr Stedman's room. I recollect a watch being raffled for. I don't recollect the guards who took part in it. I have never given any information to the press respecting the Central Prison. The work-box made for Stedman was made since the order by the Warden forbidding anything of the kind.

E. NEWTON.

Patrick McCormack, sworn.—Am a Prison Guard; was appointed on the 17th May, 187[illegible]; of my knowledge I do not know of any cruel treatment towards prisoners on the part of the officers of the Prison; I have not seen any difference in the treatment of the guards on account of their religion; I have no complaint to make and know of nothing wrong in the management of the Prison; I have heard of some of the single men who are guards complain that they had more to do than the married guards; I have reported nothing to the press; I have seen Mr. Beaumont under the influence of liquor more than once.

Patrick McCormack.

David Kirkpatrick, sworn.—Am Prison Guard; was appointed 11th September, 1875; I have seen prisoners punished, but I do not think they were punished any more severely than they deserved, but I have seen prisoners under punishment when I did not know what they were punished for; I never saw a guard strike a prisoner; I have never seen any difference in the treatment of guards on account of their religion; I have never known any dishonest act on the part of the guards; I have seen prisoners making bone work; I have never reported anything regarding the Prison to the press; I think the food furnished to the guards should be made more palatable; the fault is in the cooking; last spring some prisoners belonging to my gang reported themselves sick; I thought they were sick; I sent them in to see the Doctor, and they were sent back to work; I do not know whether the Doctor saw them or not; one prisoner was Perkins who in a few days was confined to the hospital, and afterwards died of typhoid fever.

Daniel Kirkpatrick.

Richard Farrell, sworn.—Am Prison Guard; I was appointed 23rd May 1876. I know nothing of the cruel treatment of prisoners; never saw anything of the kind since I came here. I never saw any partiality in the treatment of the guards, and no difference whatever on account of religion; about three months ago one of the prisoners put some meat in his hat at dinner time; Mr. Stedman saw him do it, and threw the meat out on the table; after removing the meat from his hat, he gave the prisoner a slight tap which would not have hurt a child, and made him stand up until the other prisoners were done. I have nothing to complain of; the single men complain that they have more to do than the married men. I am a single man but do not complain. The food at the guards' table is badly cooked. I have not reported anything regarding the Prison to the press.

R. Farrell.

Walter Butler, sworn.—Am Prison Guard; was appointed 6th March last. I know nothing of any cruel treatment of prisoners; I have never seen any difference in the treatment of the guards on account of their religion. I have reported nothing to the press. I have no complaint to make.

Walter Butler.

W. J. Mansell, sworn.—Am Prison Guard; was appointed on 18th January 1874. I was in the metropolitan police and in the Surrey constabulary previously to coming here. About two years ago I was in charge of a gang working in the front grounds. One day while I was marching them out of the yard, one of the prisoners named Richard Jones, an oldish man, let his left hand drop straight, and Mr. Stedman struck him with a stick over the hand, and the man complained to me afterwards that his finger was very painful. The finger took to swelling and some week or two afterwards the outer skin around the joint peeled off. On another occasion, I think it was the winter before last, I was on duty in the north wing as night patrol. Suddenly I heard a violent shouting, and the words "Capt. Prince" repeated several times. I went upstairs to the top gallery, and there I found a prisoner (Edward Lewis) still shouting "Capt. Prince." I believe that he had become deranged. Mr. Stedman who was in charge that night came out of the guard-room with ex-Guard Bollard, and a key was produced to open the cell door, a long key. Mr. Stedman went in; the man shouting all the time, but made no resistance. Mr. Stedman struck the man with the iron key. Lewis shouted murder! Mr. Stedman threw him down on the bed and his head struck the wall and bled; Mr Stedman then placed a wooden gag in his mouth and his hands hand-cuffed behind him; this was about nine at night; he was left lying on the bed; I went up to see him in about half an hour; he appeared to be all in a heap with his head down on his breast; when I spoke to him, he raised up his head, and I found he had got the gag out; I made a report of the disturbance on my note book, on a sheet of paper, and reported to Stedman and Beaumont; I did not report the striking with the key. He (Lewis) laid all night with his hands behind him; within an hour Stedman asked me how the prisoner was going on, and if he was quiet. I told him he had got the gag from his mouth; I think he said, Let him be. Mr Stedman did not give me any instructions to take the gag out of the prisoner's mouth if he became quiet; I don't know who removed the hand-bolts; I know that he was not untied all night; I had thought for some time he was insane—Stedman struck him (Lewis) over the shoulders; The blows bent the key; The key is two feet long, and is made of steel half an inch in diameter, and I think would weigh two pounds. I produce a similar key; It is called the entrance key to the prison proper; Mr. Stedman had some chairs manufactured here, I do not know whether he took any away; I understood they were furniture for his room; I saw them in his room after they were finished; I never saw any partiality shown the guards, by the Warden, Chief, or Deputy Chief Guard; and no difference was made on account of religion; I have not reported anything to the press. Prisoners have complained of the food to me as not being sufficient, sometimes there was more food than was necessary and sometimes I should say there was not sufficient. I have seen no favoritism as to treatment of prisoners; There seemed to be bad blood between Beaumont and Stedman; I never heard them quarrelling.

W J MANSELL.

HENRY F KING, sworn.—Am Prison Guard; was appointed 27th February 1876; I can't say I know of any cruel treatment of prisoners. When I first came, prisoners were confined in irons all night and were not let down to use the buckets. That is not done now; the guard lets them down at ten o'clock to use the buckets. I have seen no difference in the treatment of the Guards by Capt. Prince, or the Chief or Deputy Chief Guard. I have reported nothing to the press.

HENRY F KING.

Guard NEWTON recalled.—Finlayson, a prisoner, was beaten for searching himself for the purpose of escape, by the Chief and Deputy Chief Guards, one using a rope and the other a stick; this was about January, 1875. I did not see him beaten but afterwards when he was placed in the dark cell I saw him; his body was covered with wales and bruises; the surgeon was not present at the flogging; the man was very much exhausted. Beaumont showed me the stick which he used, and it was over half an inch in thickness and was broken up. I was twelve months in charge of the north wing, and saw a good many prisoners put in irons. After men had been up for several hours they would be very much exhausted, their hands would get cold and their arms paralysed, and in many instances I have found the men have answered the calls of nature in their clothes. As a rule when they expressed contrition they were taken down, but if put in at night they remained until six in the morning. Not long since, about the end of August 1876, I found a prisoner in a fainting condition,—corridor guard Uniacke discovered him and told me. When I went to him he was hanging by his hands; his name was Hawkins. In lieu of that punishment I would suggest a longer term of bread and water in a dark cell; the dark cells are badly ventilated, there is one outlet but no inlet for fresh air. I have been in the artillery; the punishments were principally dark cells. I am acquainted with the system of punishment in military prisons, and putting a man in irons is not resorted to except in extreme cases. I think that no one should be punished without the Warden being present. I think the Warden's authority to punish should be limited.

E. NEWTON.

Adjourned till 10.30 a m to-morrow

Investigation resumed at 10.30 a.m. Thursday.

EDWIN NEWTON, recalled.—I knew prisoner Lewis. I saw him very frequently; the general opinion of the guards was that he was insane; that was the opinion prior to his being struck with a key by Mr Stedman; a month before that I thought him insane; he was under observation by the guards generally; I cannot say that it was by orders; I had not orders to watch him; he had been confined to his cell a fortnight before Stedman struck him; during this fortnight he was periodically violent, and was quiet at times; he would say that he and another party had murdered a man in the States; I heard him say this; I believe reports were made by the guards that he was noisy; for weeks before he was placed in his cell he would sit for hours in the dining hall, and if the Doctor, or any one else spoke to him, would burst into tears, and say he had murdered a man in the States.

E. NEWTON.

WM. GIFFORD, sworn.—Am Prison Guard; was appointed at the opening of the prison; about May, 1876, Stedman struck prisoner, Andrew Edwards, with the palm of his hand, in the dining room; the prisoner had a piece of bread or meat in his hat; Stedman struck him with the palm of his hand in his face, and then took the bread or meat from him; the first summer we opened Mr. Stedman used to treat the prisoners very harshly, especially when marching, if they would lose the step; he had a stick about two feet six inches long, and the ferule was of iron and was six inches long; he would stamp this down on their feet and legs, especially the old men; one in particular, a prisoner named Gibbon, from Hamilton; I saw him strike once the ankles several times; Gibbon is over 60 years old. I was the guard on corridor duty the day after Dillon was caught in the yard; I accompanied Dr Aikins and Stedman to the dark cell; he (Dr Aikins) saw a cut on the prisoner's forehead and asked the prisoner what did that; before the prisoner replied, Mr Stedman said he struck him with a stick; what the Doctor said I did not hear. I then accompanied them round to the dark cell where prisoner Carson was; he (Dr Aikins) asked if he had any complaints, and he said no; the Doctor then left; I saw Mr Stedman when he was visiting the gangs in April last call on Mr Hill and ask him who was that that was lying in the box; Hall replied that it was prisoner Coombs; he (Stedman) went up to the box and took off a lot of prisoner's coats that were lying on top of the prisoner, and made him get up. He said "What is wrong with you," the prisoner replied "I am sick." Stedman struck him in the chest with his fist, and said, "You are not up in the guard-room now; the bread you get down here don't go down easy; there is no butter on it;" he then ordered him to be sent in; the blow was given with a closed fist, but not a very hard blow; at the time Dillon was found we had been two days and two nights looking for him. I have never known the Warden or Mr Beaumont to show any difference in the treatment of the guards on account of their religion.

In the fall of 1874, one night when I was in the bailiff's room with the bailiff and Mr McCarthy, Stedman came to the door and called me out and asked me to come down to the office as he wanted to speak to me. I followed him down, and went into the Warden's office; he closed the door and asked me if I would work in with him to try and put the Catholics out of this. I looked at him for three or four seconds and replied, "I could not do such a thing—my wife was a Catholic." I then turned away and walked out. I knew prisoner Lewis; I brought him from the Toronto Gaol at the time the Prison opened. I remember the time it was said he was struck with a key; I had him in my own gallery up to two months prior to his being struck, and saw him several times during these two months; the impression I and the other guards had was that he was getting crazy. I think he had been in the cell a week at the time he was struck. I missed him from the yard; he used to shout in the corridor mornings and nights prior to the striking; I did not see Stedman strike him; Guard Evans said he saw it; I knew prisoner Hasle; he said he made boots and shoes for Stedman; any boots and shoes I got I paid for to Mr Short; this was in November 1874. Stedman kept the accounts of the shoe-shops; he (Hasle) made boots for other guards. I know Guard Uniacke; he is considered a friend of Stedman's; I do not consider myself a friend to Mr Stedman. I knew of partiality towards guards by the Warden and Stedman; I did not see any on the part of Beaumont. In the fall of 1874, I took my gang to bathe at 5 minutes to four; I went to the bath room; on my way going up stairs, I met Guard Uniacke with his gang coming down, having bathed; I then went up, got my gang stripped, and waited there about two minutes when Mr. Stedman came rushing up, and asked me "if I ran this Institution," I said no, what do you mean?" he said he would let me know, and he reported me to Chief Guard Beaumont. Mr. Beaumont came with him to the bath-house, and asked me if I was there before four, I said "yes," that my foreman gave me five minutes to get over to the bath-house, and that meeting Guard Uniacke's gang coming down from bathing, I thought I was right in going up and getting ready to bathe my men; he replied it was all right, he saw nothing wrong. Mr. Stedman met Uniacke's gang going from the bath-house to the prison, and did not report him; I was in charge of the lumber yard gang, and supervised the gang in the erecting shops and the blacksmith shop gang in the fall of 1874. In December I came out of the lumber yard with my gang of fifteen men; we were taking sheeting to the north and south machine shops; I had to divide the gang, giving six men to Mr. Thompson (the foreman), they went to the north shop, I taking nine to the south shop, I gave Thompson instructions to bring the men to me, and instead of doing so he let them come around by themselves, and at the turntable they met two other gangs having no guards with them, and got talking together, and Mr. Stedman saw them. He then came to me and asked me if I had any men round in the yard, I said "yes, six with Mr. Thompson," he then censured me in a surly manner, in front of the prisoners, and reported me to Mr. Beaumont. I reported him through the Chief Guard to the Warden. The other two gangs belonged to Guards Doherty and Uniacke. He reported Doherty and me and did not report Uniacke, which I reported through the Chief Guard to the Warden, and brought before the Warden in his office the bathing case. After I reported this to the Warden, he (Stedman) used to visit me eighteen times a day and before that he would only visit me two, three or four times. On 2nd January 1876, I was on guard-room duty (it being Sunday). I was on corridor patrol from half past twelve until one o'clock, and was relieved at one o'clock, and went to the guard room to get my dinner. I went into the guards dormitory took off my revolver and belt, hat and stick, and laid them down on one of the married men's beds, and then went to dinner. After dinner I came back to the dormitory when Guard Kirkpatrick called me and spoke to me. I talked to him quite awhile, I should say about one hour,—I then laid down on the bed and in doing so moved my hat and stick but had no thought of the revolver until the next morning when I went to the cupboard used as an armoury, to get my revolver and could not find it. I asked all the guards if they had seen it, I supposed they had played a trick on me or that some one had taken it in a mistake, I took a revolver I found hanging in the cupboard. I supposed it to be Guard Uniacke's. About ten or fifteen minutes afterwards I was out with my gang when Chief Guard Beaumont came to me, and asked me if I had my own revolver. I said "no," and told him about not finding my own. He said Stedman had received a revolver from a prisoner which he had said that he had found in his cell the night before at half past six, at a quarter past one I was sent for by the Warden, I told the Warden the same facts I have now stated. He censured me, and told me to get my revolver from Mr Stedman. I asked Mr Stedman where my revolver was and he said in his room, I went to his room and found the revolver lying in an arm chair with prisoner McCarty painting an oil painting alongside the chair. I looked to see, and found the revolver loaded, I reported this to the Warden through Chief Guard Beaumont. The Warden cleared Mr Stedman of all blame at the evening count parade. He read my crime out of the order book, but did not censure Mr Stedman for leaving the pistol on a chair beside which a prisoner was painting. At the same time, there was an order in the book for the guards to sleep with their revolvers under their pillows, and that was why I laid the revolver on the bed. At the time I was brought before the Warden, I stated the pistol was as safe on the bed, as in the cupboard which could be opened with my little finger. About four months after this, the Armoury was built. I saw that Mr Stedman had got Guard Uniacke's revolver three times in the dormitory lying on the bed. I know because he came and asked at the mess table where it was, and stated he found it in his bed. Don't know whether it was reported or not, it was never read out in orders. On the the 4th or 6th April 1876 there was a raffle in the guard's dormitory I saw the armoury wide open in which were the rifles, revolvers, and keys of the prison leg irons, and handcuffs. The three guard room waiters (prisoners), were in the room sitting opposite the armoury and no guard was in the room. I told Mr Hill, and he

and I staid there until the guards came out. The raffle was then going on. It was between six and seven in the morning. I don't know if it came to the Warden's notice. The raffle was for a watch.

I have not on any occasion given information to the Press, or to any one with a view to its going to the Press, with regard to the Central Prison. About a week after the Barber escape, I sent a note to discharged Guard Wall. I was told that Wall had written a letter to the "Irish Canadian," and had read the article said to be his. When Wall was in the prison, I knew nothing against him but drink. I have learned that his character is not good, and have dropped his acquaintance. The reason for my writing to Wall was not, that my letter might be published. He (Wall) had been my supernumerary for months, and I thought he had been unfairly dealt with. I see now that I did wrong. I made a report in regard to my supernumerary, Wm. Mansell, to Mr. Stedman; I handed it to him in writing; he refused to take it, saying he would settle with Guard Mansell himself. This was the day Barber escaped.

To the Warden of the Central Prison.

SIR,—I have to report Guard W. Mansell, my supernumerary, for neglect of duty, on Thursday, 27th. I charge him for giving his rifle to prisoner Foley, and taking the pick for ten minutes, and working with it. 2nd, I charge him with laying his rifle down amongst the prisoners, four times during the day, and while both the gates were open.

I also reported to Mr. Wall, that Mr. Stedman had allowed Barber (a prisoner) to see Joyce (a visitor) on Sunday and also, that Barber was allowed to get the long key of the principal doors of the prison. I have seen this.

WM. GIFFORD.

Investigation resumed at 2.30 p.m. 2nd November 1876

Guard GIFFORD, recalled.—At the time of the escape of Barber I was ordered to take a ladder to the front of the north wing, in order that the slates might be carried up to the roofers. I did not call the attention of anybody to the ladders being there. Stedman told me he had let prisoner Barber see Joyce the visitor and that he was afraid of being dismissed on that account. Stedman, after Barber's escape, gave me his revolver, and told me to go and see Joyce, and try and find out where Barber was. I could not find out where Joyce lived, and reported the same to Mr. Stedman the next morning. Stedman told me that Barber's wife lived out in the country, and that it was likely he might have gone there, and that the Warden had sent a detective after him; three prisoners escaped from the field gang about the 21st January, 1875, and the Warden, in his annual report, says there was only one; the prisoners' names were Wylie, Deacon and Cunningham. Wylie is the only prisoner mentioned. I captured Deacon the day after the escape between Goodwood and Stouffville. I believe there was ill feeling between Stedman and Mr. Short, the Bursar, about the end of January 1876. I was in charge of a gang unloading stone. I had a prisoner under me by name of Fairchild who said he was sick, and unable to work. I had to coax him to work, and said he might be better after dinner; after dinner he was no better; he complained of cold and vomiting, so I sent him into the blacksmith's shop to warm himself and told him to come out again in about ten minutes time and I would report him sick; while he was absent I was called away for my pay and to relieve the Wall Guards, and while I was away the Warden, on going his rounds, found Fairchild and other prisoners in the blacksmith's shop; he asked Fairchild what he was doing there. Fairchild said that I had sent him there. I was sent for and met the Warden in the dining-room; the prisoner was present, and so was Mr. Beaumont, the Chief Guard. Beaumont asked the prisoner if he had reported himself sick; he (the prisoner) replied, "yes, three mornings running." Mr. Beaumont asked who he had reported himself to, and his answer was, "to a prisoner, not a guard." Mr. Beaumont asked him if a guard unlocked him in the morning and he said "no." In the south wing then, and in both wings now, the prisoners were unlocked by prisoners called "cleaners;" this was in accordance with Mr. Stedman's orders; the Warden gave Mr. Beaumont orders that in future the cell doors were not to be unlocked by a prisoner in the mornings; since Mr Stedman acted as Chief Guard this order has not been obeyed; Mr. Beaumont obeyed the order during the time he was Chief Guard: in the month of October, 1875, I was in charge of a field gang, and had Guard Mansell as supernumerary; the prisoners were pulling turnips. Guard Mansell left my gang and went and talked to Guards Wall and Johns for over three hours, and I left the field with my gang without Mansell having returned to me; I made a written report of this to Mr. Stedman, and he told me to take my twelve men out again, and gave me a note to Mansell, and said that he (Stedman) would see to the report, but I never heard of his doing so, and at the subsequent counts I never heard it mentioned. Captain Prince was at this time away on leave; Mr Stedman kept prisoner McCarthy (the man whom I found standing beside the chair in which I found my revolver) in his room making oil paintings; I never saw McCarthy doing anything else than painting, except during one week he was breaking stones. McCarthy was in the Prison a year. Mr. Stedman got a lounge made in the summer of 1874; the prisoner who did the upholstering was working with the Canada Car Company, under me; Stedman came and took him away from my gang; he kept him two days, and his time was down in the book the same as if he had been working for the Canada Car Company.

WM. GIFFORD.

FREDERICK HUNT, sworn.—As prison guard, was appointed in March, 1875. About February 1876 Mr Stedman came to me in the guard room, and told me to take off my slippers and to go up the further end of the crank, being the opposite end of the corridor from the stairs, and try and find out who was making a noise. I went up and found it was a prisoner in Number 8 Gallery one whom I had supposed to be insane. I called to some of the other guards on the corridor, "This is the man who is making the noise;" he was yelling "Capt. Prince Murder!" Mr Stedman came up with Guards Doherty Mansell Eames. Mansell had a lamp. Mr Stedman unlocked the cell door and went in and asked what he was making a noise about. I can't say just what the prisoner said; it was something about his brother and then he called out "Capt. Prince, Murder!" I saw Stedman unlock the cell and go in. I did not see anything after he went in until I heard the prisoner groaning. I then looked in and saw the prisoner lying on his right side on the bed. Mr Stedman had his two knees on him and was striking him with a long key. He struck him several times across the back. I cannot say whether the prisoner had his coat on or not. Doherty and Mansell were both in the cell, and I could not see very well what was going on. I saw Doherty strike the prisoner with his fist, while Stedman had him down. I don't know the name of the prisoner. I heard it was Lewis. In April 1875 I was on night duty. I went on in the middle of the week in place of a guard who was found asleep. I found a prisoner named Shaughnessy from Kingston in irons in the East Dark Cell of the south wing. How long he had been there I could not say. Guard Eames told me five days and nights. I went on on Wednesday; he was kept in irons on Thursday. I can't say whether on Friday or not. The report book will show, as I made report to Guard Eames. I visited the prisoner every hour, as I was afraid he would die. He was constantly hanging by his hands and when I would go to him he would say, "Thank God there is another hour gone by." I don't know whether he was taken down to use the buckets or not. I had not the key of the cell and could not get in. The key was locked up in the Armoury and could not be got unless by orders of the Chief Guard. I was on night patrol.

Report book produced, entry under 1st May 1875. "John O'Shaughnessy for insolent language to Deputy Chief Guard, seventy-two hours in irons."

In the spring of this year I had a prisoner named Comb in my gang. He had previously been a guard-room waiter and had tried to make his escape. After he had been in my gang a few days he complained of being sick. I asked him if he had reported himself sick to his guard in the morning, which is the usual custom; he said no, he did not feel very sick then. I told him to wait until noon, and that if he did not then feel better I would take him before the Chief Guard. He was not better at one o'clock, and I made a verbal report to Mr Stedman. He said he was to go out on the stone pile until the doctor came, and he would then be sent for. Prisoner replied, "put me in the dark cell." Stedman replied "I will put you where I choose." Comb went with me to the gang;

when he got out he said, "Mr. Hill, I can't work." I told him to go and sit on the stone pile where the sun was shining. While he was sitting there, Guard Mansell, who had charge of the loads at that time, came by, and passed a remark how sick he looked. I said I could not help it, I had reported him and yet he was ordered to come out. About the middle of the afternoon Comb went and laid down in the box we had for measuring stones. I missed him from the place he was lying on the stone pile, and found him on the box covered up with some of the coats belonging to the prisoners. He was groaning. I thought he was very sick and did not disturb him during the afternoon. Mr Stedman came, and I told him about Comb being so very sick. He asked where he was and I told him. He told Comb to get up, saying, "It is no good playing off like this; you used to eat plenty of butter on your bread in the guard-room, and now the dry bread sticks in your throat," and he struck him in the chest with his clenched fist. He then sent him inside. He was taken to the hospital and ultimately died. Prisoner Dillon was in my gang. He said Stedman struck him over the left eye, after he had given himself up. (Dillon had tried to escape.) He said Stedman struck him with a stick and knocked him down. The left upper corner of his forehead was cut and bleeding, and that part of his head was badly swollen. Each day he kept getting worse, the swelling increasing, he being hardly able to see out of his left eye. On the second day he fainted away. I had him taken out of the sun, put some salt in his mouth and poured water in his mouth. He was sent inside. I saw him next day with a poultice on. He did not come out to work for three or four days. I never saw any difference in the treatment of the guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison.

FREDERICK HILL.

MAURICE UNIACKE, sworn—Am prison guard. Was appointed at the opening of the Prison. One night during last year that I was on duty there was a prisoner in the dark cell of the name of Hickey. He was tied to the ring. Mr Stedman asked me to come down as the prisoner was making a noise, and told me to loosen the prisoner. I did so, and with Mr Stedman's assistance brought him out. I put the handcuffs on him to bring him to the dungeon underneath. Mr Stedman gave the prisoner two blows on the side of his head with his clenched fists. The prisoner was making a loud noise. We put him in the dungeon. Hickey had been several times in the dark cell and was generally noisy. Prisoner Charles Gibbons was an old man. I was in charge of a party in the lower end of the South Wing cutting hair. I saw Mr Stedman at the door of the cell in No. 11 Gallery, and saw him take a pipe from Gibbons who had been smoking, and strike him twice on the side of his face with the back of his hand. Gibbons has been in the Prison three times. His conduct is generally good and he was quiet. At the time prisoners Dillon and Carson were concealed I was posted at the north gate. We heard that the prisoners were found. We had been up two nights looking for them. I went into the corridor and saw the prisoners standing there. Mr Stedman came in and I saw him strike Dillon on the head with a stick once, and once on the arm. I think the stick was a walking stick. Dillon had said nothing to Stedman. He poked the stick against Carson's ribs pretty forcibly. There was a prisoner in the North Wing named Lewis (a lunatic). I was standing on the landing leading out from the Guards' Dining Hall in company with Mr English (the bailiff). I heard the cry of this man and from the nature of the cry thought he must have been struck with something. I heard the other guards say it was with a large key. I had seen Lewis before this several times; was under the impression that he was not right in his mind. Other guards remarked to me that he was wrong in his mind. He had been in the cell for several days. I can't say what for, as I was not in charge of that gallery. I have never seen any difference in the treatment of the Guards on account of their religion. I have not made any report to the Press about the affairs of the Prison. I once left my revolver in my bed-room. I had had taken my belt off and forgot it, and went to my tea. I was reported to and brought before the Warden but the offence was not read out at the Court. I left my revolver another time. I was not brought before the Warden that time. I never brought my gang into bathe before four o'clock; it might have been a minute or two before four o'clock. It was thereabouts at any rate. I do not know that there is any ill feeling towards Stedman on the part of any of the guards. I never saw Beaumont strike a prisoner.

M. UNIACKE.

Hamilton Lyons, sworn.—Am prison guard; was appointed at the opening of the Prison; shortly after the Prison opened, three prisoners concealed themselves away in the engine house, with a view to escape; Guard Gracey was on duty, and found the prisoners concealed in the engine house, between the top of the boiler and the ceiling, I went to assist Stedman, who told them to come out; they would not, and he caught hold of one of them and pulled him out between the rafters; I caught hold of one of them and he kicked me; I threatened to shoot him; he said not to touch him, and he would be quiet; I kept my revolver in my hand until we got them all out; by that time all the guards were gathered round; the Warden was sent for, and the prisoners taken into the corridor; Mr. Stedman struck one of them with his fist, and knocked him from one side of the corridor to the other; I stood within fifteen or twenty feet of Stedman at the time; the prisoner did not say anything to Stedman previously to his being struck; Guard O'Brien struck another; I said it was a damned shame to knock men about in that way; on several occasions I have seen Mr. Stedman, while the men were marching, strike them on the heads and feet with a stick, when they did not march in order or kept their hands down. I have seen a good deal of partiality shown to guards; on several occasions I have applied to the Warden for leave of absence, to go out on family affairs, my wife being sick—I sent in word by Chief Guard Beaumont, and he came out and said the Warden would not grant leave. One time I asked the Chief Guard to allow me to see the Warden personally. I did see the Warden who refused me leave, saying I was a nuisance and a disturbance, and to put in my resignation and leave altogether. I asked, Why? He said all the guards said so. I asked him to bring in any of the guards who had said so and he refused; he said he would transfer me from the gate to the wall. I asked him if he would allow me to see the Inspector; he refused, saying I could go after hours; two other guards (Johns and Eames) applied to go down town and they were allowed to go; they had leave twice or three times. Some time afterwards I applied to Mr. Stedman for leave to go to town for medicine for my wife, and he said it was no use as the Warden had refused to allow me to go. This year I applied to the Warden for permission to get some clothes made; he told me it was not allowed; the very next week Mr. Short's son, who was working with him, got a suit of clothes made; whether the Warden gave permission or not, I cannot say. Previously to this the box at the gate was opened, and my papers and my books stolen; I am not able to give the date. Last year I applied to the Warden for permission to get shoes made for my family and he refused; a short time after that Store-keeper McCarthy and Guards Eames and Johns got shoes made for their children; can't say if Warden gave permission. I have never given any information to the press regarding the affairs of the Prison. I have been taken from the gate and taken inside to do guard duty, and sometimes to allow other guards to go away on Sunday. I claim that my duties should be confined to the gate, as I am gate keeper. Mr. Stedman has put in charges against me privately when Mr. Beaumont was Chief Guard.

HAMILTON LYONS.

Daniel Cunningham, sworn.—Am Cook and Baker. Was appointed 6th May, 1875. About June, 1875, there was an old man in the prison. Mr. Stedman came to me and said he was around the galleries about twenty minutes before and found this old man on his knees as though he might be praying, and that just now he found him smoking, and he (Stedman) said "come and I will show you some fun." I did not go, but Stedman went to the old man's cell, and I saw him kick him several times as he went down stairs. It was in the first or second gallery in the north corridor. I don't know the old man's name. He did not fall. Stedman kept kicking him as he went along. Not long after this, Stedman was about putting Hickey into the dungeon. I had to go down to let him in, as I had charge of the key of the doors leading to the dungeon. Mr. Stedman and Guard Uniacke were putting the handcuffs on him. After he was handcuffed Stedman struck him with his clenched fist. The prisoner was very noisy, and was making a noise when Stedman struck him. I have never seen any difference in the treatment of the guards on account of their religion. Complaints have been made to me about the cooking of the food for the guard's room, sometimes as to its being underdone, and at other times overdone. I have given no information to the press as to the affairs of the prison. A Mr. Everest came to me to get information, and I referred him to the Warden. Everest pressed me to give him information as to cruelty to prisoners.

D. CUNNINGHAM.

JAMES CLARKSON, sworn.—Am Engineer for the Central Prison. Was appointed at the opening of the Prison. I know nothing about the treatment of prisoners, or the discipline of the Prison.

SAMUEL DEAN, sworn.—Am Prison Guard. Was appointed 6th May, 1875. I have seen no act of cruelty to the prisoners nor have I seen any difference in the treatment of guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison. There was an undersized man with long light whiskers who wanted information as to the Prison. I told him to go to the Warden; he came to my house.

SAMUEL DEAN.

WILLIAM JONES, sworn.—Am Prison Guard. Was appointed 14th February, 1875. In 1875 a man by the name of Speckman was hidden away. I can't give the precise time. When he was found and Mr. Stedman was putting him in irons in the dark cell, and after he had the irons on, Mr. Stedman struck him on the side of the head with the back of his hand, and said, "you b— * * you have got a good guard dummied over you." I saw him strike an old man (Edwards), for taking beef from the table and putting it in his hat. About five months ago I saw Stedman strike a prisoner named Harrigan who came in saying he was sick, that there was something the matter with his arm. Stedman punched him in the stomach with his fist, and caught hold of the lame arm, and raised it up and made the man cry out. Harrigan belonged to my wing. He told me to put him in irons, that he was not sick. He did not want to get instructions from the Warden. I put Harrigan in irons, and then told Stedman the man was moaning. Stedman then went into the cell and commenced punching prisoner in the ribs saying "you are not sick." The prisoner kept saying "don't Mr. Stedman." The prisoner was taken down in about three hours. He was sent to Guard Dean. He was employed, before being punished, in the broom shop.

A prisoner named Farrell looked very sick when he came in from work. Guard Eames reported it to Mr. Stedman, who ordered Farrell to be put in irons. Eames went to do it and could not effect it alone, so he came for me to help him; the man was so sick he could not stand up and we had to lift him and forced his hands to the ring. I held him up while Eames put the handcuffs on; we both came away and Eames locked the dark cell door; I said to Eames "we had better see Stedman about that man." Eames then went back to the cell door and found the prisoner hanging by his arms, his head hanging on his shoulder; we then took the responsibility of taking him down and left him lying on the floor, and Eames reported the case to Mr. Stedman who said "let him lie there," and he was left there; the doctor came the same day and treated him as a sick man. I was ordered to put prisoner Bazy (colored man) in irons but could not do it. I told Mr. Stedman and he drew his revolver and pointed it at Bazy's head. Bazy said he would not go into irons until he saw the Warden; just then the Warden came and ordered him in irons. Mr. Stedman then put him in irons, he being quiet. I got orders from Stedman not to let him down for any purpose, and he directed me that when the prisoner wanted to use the bucket to place it on a chair and lower his pants, and when the prisoner was done with the bucket, to button up his pants after cleaning the prisoner. I was ordered by Stedman to put the prisoner Wells in irons. I do not know what for; he was treated in the same manner as Bazy. I have not seen any difference in the treatment of the guards on account of their religion. I have not reported anything to the press about the prison.

WILLIAM JONES.

Investigation adjourned until 7.30 P.M.

Resumed at 7.30 p.m.

HENRY EAMES, sworn.—Am Prison Guard; was appointed at opening of Prison; about two years ago I was on evening duty and heard some shouting in the north wing. I saw Mr. Stedman and Guards Doherty and Mansell going to the north wing. Mr. Stedman had a long key in his hand; I followed them; when I got there I saw Stedman kneeling on (Lewis') a prisoner's chest, and striking him with the long key. I did not stop to witness the whole, but came away; Lewis was shouting; Guard Doherty was holding him, while Stedman was beating him. Mr Beaumont told me in the morning that the case was reported. I thought Lewis was insane prior to the beating by Stedman, and other guards told me they thought he was insane; when Stedman came back to the guard-room he had the key in his hand; he said the key was bent; he did not say that Lewis attacked him; about April, 1875, prisoner John O'Shaughnessy had been reported for talking, and the Warden stopped his supper; Beaumont brought the report to me, and told me I was to tell him to go without his supper, as he was reported for talking; I told the prisoner his supper was stopped, and he said "very good;" Stedman came up behind and asked what he said, I said "very good;" Stedman followed the prisoner to his cell; I do not know what took place there; Stedman came back and told me to put the prisoner in irons; he remained in irons five days and nights; I had charge of him in day time, and Guard Hill had charge of him at night part of the time, and Guard Stratton the balance of the time; during the time I had charge of him (in day time) he was taken down to his meals, his hands were loosed, but his legs remained in shackles, the meals were given him in his cell; his food during these five days was one pound of bread per day; during these five days he was in irons he was very quiet; the second day he was in irons he asked to see the Doctor; I sent in a report to the Chief Guard that he was sick; no answer came. The Doctor never came to my knowledge; on the fourth morning when I went to his cell to relieve Guard Hill he told me the prisoner had been moaning during the night, and he thought something was the matter with him. I went into his cell to see what was the matter and the prisoner told me that during the night he wanted the bucket but could not get down to use it, as he had answered the calls of nature in his pants; he also said he wanted a drink of water but could not get it. I had to lower him down from the ring and when I gave him some water he dropped down on the bucket; then I gave him his bread. I returned to his cell after breakfast, and I found that he had not eaten his bread, and that he was asleep. I tried to awaken him to put him up to the ring again but could not. I reported to Mr Stedman that he was much exhausted not having eaten his bread for two days, and that it would be dangerous to put him in irons any more, that he was too far gone; he replied "let the b—— die." Stedman did not go down to see him at that time. I got one of the prisoners to help me put him up; he remained up all that day and night until the middle of the next day; he was then taken down and removed to his cell. He remained in his cell the remainder of that day and all the next day lying in his bed and the day after was sent to work. About nine months ago a young man named Farrell, about nineteen years of age, reported himself sick from one of the shops. He was brought in and Mr Stedman ordered him to be put up to the ring. I was not able to do so as he would not stand, and I got Guard Johns to help me. We put him up, but he bore all his weight upon his hands, so I told Guard Johns I would wait and watch whether he would rest on his feet but I found he did not stand on his feet, and took the responsibility of letting him down. His head was lying on his shoulders before I let him down. When I let him down, he lay down on the cell floor. I reported the circumstance to Mr Stedman. He left him there on the cell floor until the doctor came. The doctor came in the evening. I went with him to the cell. The doctor said he had a touch of the fever, and he was sent to his cell under the doctor's treatment. About six months ago a prisoner by the name of Collins was working as tailor on the bench in the dining-room. Mr Stedman brought him to me and told me to put him in irons. I don't know the offence. When I got to the dark cell he refused to be put up to the ring until he had seen the Warden. I reported the fact to Mr Stedman and he went down to put the handcuffs on him and afterwards abused him a great deal. He jammed his head against the wall until the blood came out of his ears and then fastened him to the ring. He was released, by order of the Warden next day. About nine months ago Mr Beaumont was transferring some of the reformatory boys from the north wing to the south wing. I remained in the south wing. Mr Stedman said to a prisoner named Gunstock "come along with me; I want to show you something." He took him to the dark cell, where I saw Stedman draw his revolver and put it to the prisoner's face and say—do you see that? you will get the contents of it if you don't behave yourself in the south wing; and then sent him to his cell. Prisoner Gordon reported himself unfit for work about four months ago. Mr Stedman brought him in and told me to put him in the dark cell but not in irons. I asked him if I should give him his food and he said "no." He was there until the doctor came that evening. I heard the doctor say he was sick, and ordered him to be sent to the hospital. I have often seen Stedman use the stick to men when in marching order but not lately. I did not think much of it. I never saw any difference in the treatment of guards on account of their religion. I have not reported to the press any of the transactions of the Prison.

H. RAWES.

MICHAEL WOODS, sworn.—Am Prison Guard. Was appointed 4th Feb., 1876. I have not seen prisoners ill-treated. Have never seen any difference in the treatment of guards on account of their religion. I am not satisfied with the food we get at mess. I think the discipline too severe.

MICHAEL WOODS.

JOHN BREADALBANE CAMPBELL, sworn.—Am Prison Guard. Was appointed 13th April 1875. I never saw any cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion. The food at mess does not suit me.

JOHN B. CAMPBELL.

GEO. FRANKS, sworn.—Am Prison Guard; was appointed 3rd July this year. I know nothing of ill-treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion. I don't think the food at mess is properly cooked and we have not sufficient variety.

G. W. FRANKS.

CHAS. PRIEST, sworn.—Am Prison Guard. Was appointed 9th January, 1875. I know nothing of cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion.

A. C. PRIEST.

WILLIAM HARDIE, sworn.—Am Prison Guard. Was appointed in August, 1874. About four months ago, prisoners Dillon and Carson attempted to escape, and were found at three o'clock on Sunday morning, and brought into the corridor. I saw the Deputy Chief Guard (Stedman) beat them with a stick. He struck them both several times. It was a walking stick. I saw nothing more. I have seen no difference in the treatment of the guards on account of their religion. I knew Mr Beaumont, I served in the 13th Hussars with him. I was sergeant; he was sergeant at the mess—mess with me for about two years. I was with him ten years in the regiment. At the time I joined the regiment he was under arrest for theft or something. He was tried by a District Court Martial, and sentenced to imprisonment in a military jail. I cannot say how long it was—either forty two or fifty six days—and he was reduced to the ranks; the crime was making away with the soldiers clothing. He had been seven or eight years in the regiment before I entered it. Since I came to the Central Prison, Mr Beaumont spoke to me about our being in the Hussars together and also spoke about the cause for which he was tried, and said that at the time of his appointment to the office of Chief Guard he explained all to the Government. He told me some one had written to the Government after the appointment, informing them as to his difficulty in the army and I think that caused him to tell me.

W. HARDIE.

Adjourned until 2 p.m. tomorrow.

Investigation resumed, 3.15 p.m. 7th November.

W. J. AIKINS, sworn.—Am Surgeon for the Central Prison; was appointed at the opening of the Prison. Knew prisoner Lewis. I certified on the 5th January 1877 that he was insane. I understood Dr Richardson and the County Judge also examined him separately and gave similar certificates; he was sent to the London Asylum, 19th July, 1877. I have no other entry regarding Lewis, and have no recollection of anything further as to his insanity; I have a distinct recollection of being told that Lewis struck Stedman, or struck at him, with a part of his bed, but I cannot say whether it was Stedman told me or not; I heard that Stedman had struck him with a key; I don't think I examined Lewis' body; I don't recollect Lewis making a complaint to me; on reference to my diary, I find the following entry under date February 19th, 1875: "Lewis, William Guard, and John Elm, prisoners insane, sent to London Asylum this morning"; Elm had fallen while marching in the square and severely bruised his right arm; it was uncertain whether there was a fracture without displacement and crepitus; it was still very much discoloured when he left the Institution; I do not recollect anything about Lewis being gagged; I understood the rules of the prison required that I should be present on all occasions when corporal punishment was inflicted; I was not present when prisoner Finlayson was flogged in January, 1875, and until lately never heard he was flogged; I know prisoner Dillon; I remember him having a contused cut on the upper and left part of the forehead, which did not extend to the bone, or to the covering of the bone; I ordered a poultice to be put on the wound; I understood he had been struck by Mr Stedman; I think it was after his capture; he, Dillon, had escaped and was recaptured. I know prisoner Comb; he was one of the Reformatory boys; he was a soft, growing lad; I understood one day he had been sent out to the stone pile; on the 23rd March, 1875, he came into [illegible] cell and on the 25th March was sent to the Hospital; he died on 3rd May of pleurisy and inflammation of the lungs. I think I know prisoner Farrell; on the 27th April, 1876, I visited him in a cell—I do not think it was the dark cell; I found him feverish and ordered him a warm bath and a powder to act as an emetic and purgative; this statement I make on reference to the Hospital day-book; no further entry is made with reference to him; if he had not been better there would have been an entry. Have heard Eames' evidence read and it may be correct that I visited Farrell in the dark cell. I don't recollect prisoner O'Shaughnessy; there is an entry in the Hospital day book, Mar. 12, 1875, "O'Shaughnessy, constipation, dose of salts and senna"; last night Mr. Stedman showed me some of the charges against him and I find he was placed in irons 7th Mar., 1875. I know prisoner Gordon; he was being treated for gonorrhoea and swelled testicle on the 18th, 19th and 20th June, 1875; on 21st was sent to the hospital; I can't say whether I saw him in the dark cell or not; his discharge from the hospital has not been entered, but he was evidently out of it by the 4th July, as on that day he had his testicles strapped, and was able to work and did not remain in the hospital, and on the 9th he was treated again but was able to work. No charge of cruelty to a prisoner or any person has been made to me as Prison Surgeon. I don't remember dressing any wound for any prisoner other than Dillon and Gunstock. Gunstock had bruised marks across the small of the back and side. I understood he had been punished and I thought they were pretty severe; the flesh was well discoloured, but the skin not broken. I don't recollect any prisoner reporting any cruelty or any undue severity while in irons. I cannot give the date Guard Bollard asked me to pronounce whether a prisoner then in the dark cell, was fit to be put in irons again; he had been in irons and I think he had been let down prior to my seeing him; he was a delicate lad about 15 years of age, and I gave my opinion that he was not fit. On another occasion—I can't give the date or name—I was asked to see a man who was in irons, and found he was spitting and coughing and told the guard he was not a proper case to be put in irons, and he was taken down; some six weeks ago I was asked to see a prisoner in irons and I found he was fit for that kind of punishment; on several occasions I have been asked to visit prisoners in irons; sometimes the Warden and at others Mr Stedman or one of the guards would ask me to visit prisoners in irons. I don't recollect being called to see Dillon, Hickie, Spackman, O'Shaughnessy, Wells, Farrell, Bazy or Collins while they were in irons. I think it is likely I was called to see them, but don't recollect. I have sometimes talked to prisoners when the tears would come into their eyes, and when they expressed penitence they were taken down without my asking. I find no reference in the hospital day book that on August 8th, 1876, Harrigan presented himself as sick and had a dose for alleged indigestion. I did not consider him sick, but gave him the benefit of the doubt; on the 11th of the same month he complained of a pain in the shoulder; I gave him some hartshorn and water with which to rub his shoulder; he did not appear again; prisoners often believe they are sick when they are not, and I am satisfied they often feign sickness when well. I have often remarked to

Stedman that prisoners feigned sickness, or that they believed they were sick; I have heard a prisoner say who was in irons, that he would rather be in irons than work; my opinion is that it is better to flog a man than to put him in irons for over 48 hours; I think it would be more wholesome to the rest of the prisoners, and more effective as a punishment; I think the prisoners prefer being in irons for a long time to flogging.

W. J. AIKINS.

ROLAND B. ORR, sworn.—I am a final student of medicine. Was attending at the Central Prison Hospital under Dr. Aikens for about six weeks,—from 5th May until in June, 1876. I was there every day, sometimes twelve hours at a time. I was alone with the sick prisoners; Beaumont was not there. Stedman was Acting Chief Guard. Don't know the time when prisoners' sentences expired. Some left during sickness; others had to remain three or four months after they were cured. I had no conversation with prisoner Dillon. I asked several of the prisoners in the hospital how they were treated; my reason was that I had seen charges of cruelty in the papers. A very large majority of them said they were well treated. I did not hear them express an opinion regarding Stedman. Some complained of their treatment, but it was generally confined to the Prison diet. Shortly after Dillon was struck by Stedman, some of the prisoners were questioning me about it. I said that the guard had been kept up during the night, to try and find Dillon and Carson; and the majority of the prisoners said it served them (Dillon and Carson) right, that they had no business to try and do what they had done. Did not know a prisoner named Comb. I took my meals in the guard room. Sometimes one or two guards would be present. I have heard the guards complain of Stedman being too strict. I cannot recollect of any prisoner complaining of any ill-treatment by Mr Stedman. Am twenty-four years of age. From what I heard the guards say I should judge they had more liberty under Mr Beaumont than under Mr Stedman, and that they preferred Beaumont on that account.

R. B. ORR.

Adjourned.

Investigation resumed at 8.30 p.m.

DR AIKINS' examination resumed.—I find that on 27th April 1876 when I ordered the warm bath for Farrel I visited the Prison at 10 o'clock in the morning, and did not visit it in the evening. If a person's head was jammed against the prison cell wall until the blood ran from his ears, the probability would be that his skull would be fractured, and he would be insensible; no such case has come under my knowledge since the opening of the Prison. I have known Mr Stedman ever since the Prison opened. I consider him a sober, exceedingly industrious, very intelligent and active man; and, so far as I am able to judge, he has discharged his duties with a great deal of intelligence and zeal; and if he has erred it has been from excess of zeal in endeavouring to make the management of the institution as perfect as possible. I have never seen any harshness on the part of Mr Stedman to the prisoners; I have frequently seen him, when a man would come up saying he was sick, give him a quiet poke in the side, and say "I guess there is not much the matter with you," and frequently the man would laugh. He has displayed an interest in the physical welfare of the prisoners by calling my attention from time to time to the quality of the food or the way in which it was prepared; also to the clothing of the prisoners, and on one occasion particularly when he called my attention to the fact that prisoners, during the colder part of the year, should not be allowed to take off a thick flannel shirt and put on a thin one. On another occasion he called my attention to the want of ventilation in the kitchen, owing to the door leading to the store-room being closed; he also called my attention to the prisoners being taken out in the rain. He is a thorough disciplinarian; and any man discharging his duty fearlessly at the Central Prison will make enemies, and Mr Stedman has made enemies. I have heard no complaints on the part of the guards against Stedman; it was a sort of undercurrent of grumbling.

W. J. AIKINS.

RICHARD STEDMAN, sworn.—Am acting Chief Guard. Was appointed Deputy Chief Guard at the opening of the prison, and on the dismissal of Beaumont on 5th March, 1876

I was appointed acting Chief Guard. I am not aware of being overbearing to Mr. Short (the Bursar). In making requisitions, I acted under and in accordance with instructions from the Warden. I never said to bailiff English that the Chief would soon occupy Mr. Short's chair, and that I aspired to the Chief's position. I did not consider Mr. English friendly to me, and did not give him any confidence; in fact I was on my guard when talking to him. I did not indulge in expressions of hostility towards any of the guards. I have had frequently to report, more than any one else, the cook (English), for smoking, reading newspapers, and being asleep in the kitchen. Sometimes McCarthy (the Steward) is friendly, sometimes not. I have had to report him, but cannot now say what for. I have frequently had to report Guard Axworthy, as he was very careless. Guard Coutts was in same. I had to report Gracey. I have reported guards whenever I found it necessary, without fear or favour. I have never spoken to any prisoner about the officers of the prison, and have not on any occasion invited the confidence of a prisoner. I did not strike prisoner Hunt as stated by Mr. Short. Prisoners' hair was always cut short up to the day of release, until about a year ago, since which time we do not cut the hair for a month prior to their release. I used Hunt just as all the others were used, and acted in the matter of hair cutting under orders of the Warden. Willis was insolent to one of the guards, and as a punishment the Warden ordered him to be removed from the stores to the stone pile. I never cut up any prison sheets for my [illegible]. There were four sheets made into clothes for a little coloured boy (a prisoner); we had no clothing small enough, and Mr Beaumont ordered them to be cut up. I knew prisoner Lewis; he was one of the first prisoners moved in. He was a very treacherous man; he struck a prisoner over the head with a shovel in the foundry, about the end of December 1874. While I was on duty in the guard room there was a great row in the corridor. I went out and the corridor guard came up and said prisoner Lewis was breaking up all the furniture in his cell. I told Guard Doherty and two of the other guards, I forget their names, to go down and bring him (Lewis) out of his cell down to the dark cell where there was no furniture. I then reported him to the Warden. This was about half past nine p.m. I reported him to be breaking up his cell furniture, and tearing his clothes. He told me to tie his hands behind his back and gag him to prevent his making such a noise. I went back to the guard room and got a cord and a piece of pine wood and made a sort of gag. When I got to the gallery I found the three guards outside of Lewis's cell, and Lewis inside defying them to come in. I told them to open the door and let me get in; as soon as the door was opened Lewis flew at me with a piece of iron he had taken from his bed. I had a long key in my hand and I struck him across the buttocks, and then closed on him and we both fell to the ground and that is the time he got the licking with the key and the rope both. When he and I were clenched together Guard Doherty tied his hands and gagged him. We then left him sitting up on a part of his bed. Guard Doherty is not in this country. I told the night guard to visit him frequently. I reported to the Warden next morning that I had struck the man with the key, and that Lewis had struck at me. The other guards—I don't know their names—struck him with their keys when he and I were down. I struck Lewis in self defence. Up to that time I never heard of his being insane. I did not hear any of the guards speaking about his being out of his mind. I told the night guard to report to me if he saw anything wrong. I gave no orders to him about the gag being taken out if quiet. In about three quarters of an hour the guard came to me and said "It is very little use tying that man, he has got his hands in front and has pulled the gag out of his mouth." He was found tied all right, but his hands were in front of him. I gave Finlayson 15 lashes across the buttocks with a rope's end. Finlayson was about 18. The Warden ordered me to inflict this punishment. Beaumont then commenced and flogged him over the head and shoulders with a white oak stick. He was very faint when I took him down and was covered with marks from the small of his back to the top of his head. The Warden did not order the beating by Beaumont. He had secreted himself with the intention of escaping and the punishment was for that. I remember bailiff English being brought before the Warden for making a noise the night previous, but do not recollect the particulars. I had nothing to do with Newton's statement; had not spoken to Newton about it. When it was my night on I have often sat up until 12 o'clock at night when it was known the Bailiff was coming with prisoners. There is an order preventing boys going through the prison. I did ask Mansell if he was not aware of the order against children going through the prison. As regards the charge made by Mr. McCarthy as to my keeping on my hat at Catholic service, and not allowing the man to kneel; I may state that it was fully investigated in 1875, and Mr. Crooks disposed of it. So far as I am concerned, by ordering me to be censured. Since that I have never used any objectionable language to a Catholic guard reflecting in any way on his religion. The charge that I was ordered to hound down McCarthy is not true. The charge as to Guard Somers was investigated in 1875, and disposed of by Hon. Mr Crooks. Mr McCarthy's charges were all made at the investigation held in 1875, and were adjudicated upon. I produce the stick I generally use when on duty. It is a very light cane; I sometimes use other canes, but they are all light. I have often tapped Gibbons on the heels to keep him in step, as well as other prisoners. Other guards have done the same. Sometime ago, the Warden ordered that practice to be discontinued, and it has not been practised since. The Warden made the order on account of Guard Mansell striking a prisoner in the front grounds, across the back; the Warden saw it. The general practice was to tap men on the heels to get them into the step. There are standing orders that for certain offences prisoners are to be put in irons, and then reported to the Warden; and in other cases for them to be put in the dark cell and then reported. I don't think these orders were in writing. The offences referred to were:—all acts of violence, fighting, threatening the guards, and all insubordination and refusing to work; for these offences the prisoners were to be put in irons and then reported. For talking, smoking or other minor offences the prisoners were to be placed in a dark cell, and then reported to the Warden. If a prisoner said he was sick, and I thought, when reported to me that he was scheming, it was an order that I should put him in irons, and then report. There were no chairs made in the prison for me. I made two chairs for myself. I made a table in the Guard Room and inlaid it myself. I got the board planed in the prison. I made the box myself, and the inlaid work I did myself. I bought the different sorts of wood down town. The Warden gave three trees to Guard Uniacke. I gave him none. Prisoner Walter Jones was a waiter in the guard room. He cut bone work for every guard then in the prison. I can't say how much he cut for me. He worked in my room for the vice and tools are there. Prisoner McCarthy painted for me in my room. The Warden gave permission. He painted pictures for the Warden; they are now in the building. He painted pictures for Chief Guard Beaumont, Guards Newton, Hill, Gifford, Eames, Johns and myself. The pictures—all but those of the Warden—were taken away; mine by consent of the Warden. I can't say as to the rest. McCarthy was not able to work at anything else. I did not strike Jones or any other prisoner sufficiently hard to take the skin off his fingers, or to cause it to come off. I took either meat or bread from a prisoner he who had placed it in his hat, and struck him on the ear with the back of my hand. It may have been Edwards.

Adjourned.

Resumed 10 a.m. 8th November 1878.

R. STEDMAN'S examination continued.—I knew prisoners Dillon and Carson, about two months ago they secreted themselves with a view to escaping from the prison. They were out two nights and one day before being found. I received instructions from the Warden that when I found them I was to give them a good licking. I did so. I gave them six stripes apiece over the shoulders with my walking stick. It was an ordinary walking stick and not very heavy. It was not the small walking stick produced yesterday. The cane I struck Dillon and Carson with had not a ferule on six inches long. I then put them in the bath, and after washing them found that Dillon had a scar on his head. I don't know whether I had done it or not. I don't think I did. He had been poking around in the dead of night and may have received the injury in that way. I have no recollection of telling Dr Aikins that I struck Dillon on the forehead. They (Dillon and Carson) were then placed in the dark cell in irons for 36 hours, and wore leg irons during the balance of their term in prison. I did not knock prisoner Dillon down with my stick. I know prisoner Comb. About April last, I received a report that he was sick and unable to work. I went out and found him lying in a box covered up with prisoners' clothes. I made him get up. He said he was sick and not able to work, and that he was not scheming. I sent him inside to his cell. I have no recollection of having put a hand on him. There was no occasion, he was quite a soft boy, and well behaved up to the time of his attempted escape.

I knew prisoner Hagle. He made me boots and shoes upon requisition, and I paid for them. I can't say how many pair I got made. There were two pairs boots, and one pair shoes. There may have been more. I have had boots and shoes repaired. It was the custom of the prison, and other guards did the same. I remember reporting Gifford for bringing in his men to bathe before time. It came to my knowledge afterwards that Guard Uniacke had bathed his men before Gifford. Why I did not report Uniacke I cannot say. I do not consider Uniacke a friend of mine. I don't remember reporting Guards Gifford and Doherty, and not reporting Uniacke, in December, 1874. I never made any change in my practice in visiting guards, owing to any supposed or real difficulty between us. Last January, prisoner Bazy was in the guard room, as waiter. In the evening he brought a revolver to my room, stating he had found it in his cell. I took it from him, and asked him if he knew whose it was, he said "no," and I put it in my drawer. In the morning, I handed the revolver to Mr. Beaumont, and reported the circumstance. Beaumont laid the revolver on the table in my room. He then paraded the wall guards, and came back to the room and then went out. I went up some time after and found the revolver on the table. I placed it behind the cushion in a chair. There was no one in the room at the time, but a prisoner may have come in afterwards. The Warden investigated the matter and it was found that the revolver belonged to Gifford. I told Gifford the revolver was in a chair behind the cushion in my room. The revolver was loaded. I did on two or three occasions, find Guard Uniacke's revolver lying on the bed in the dormitory. I did not report him, but threatened to do so the last time, and have not seen a revolver in the dormitory since. There have been two or three raffles for watches in the prison. Don't remember anything about armoury being opened. I never told Guard Gifford I had let prisoner Barber see a visitor (Joyce) and that I was afraid of being dismissed. I could not have done so, as the Warden gave his permission. I never heard an order read requiring the cells to be unlocked by guards only, and the Warden told me nothing of the kind. My recollection is, that there were two or three complaints made against Mansell, by Gifford, and that I reported to the Warden in the yard, verbally. Mr Eames gave me the labour of a prisoner to upholster a lounge, and the work was charged to the Canada Car Company. I knew prisoner O'Shaughnessey. On the first May, 1876, he was ordered by the Warden to be placed seventy-two hours in irons. At the breakfast hour when the men were marched down to breakfast he was not pleased with his breakfast, and threw it across the table, saying if he were the boys he would not take it; he also at that time swore at me before the prisoners and threatened me in the words, "I'll do for you, you G——d d——n son of a b——h." I reported this to the Warden, who ordered him to be put in irons 72 hours; he was placed in irons and the instructions to the guards were that he was to be taken down to use the bucket; he should have been taken down to his meals and put in irons again; he should not have been taken down at night. I cannot say how it was as to O'Shaughnessey; prior to this O'Shaughnessey was one of the worst prisoners we had, and after that, one of the best. I never said to Guard Eames "let the b——r die;" he is correct as to the food; prisoners in irons are allowed a pound of bread a day and water; no prisoner has been confined five days and nights in irons since the opening of the Prison. When I went into the cell to prisoner Hickey (as stated by Guard Uniacke), it was between eight and nine, and it was dark. I released Hickey—he was in irons for insubordination—myself, and when I had loosened one hand and he had possession of his left, he said he would not allow any black son of a b——h like me to take him to the dungeon; when he was saying this Guard Uniacke was unfastening the shackles from his legs. I struck Hickey on the side of the ear with the back of my hand, and that but once. I don't recollect striking Gibbons. I did not poke my cane against Carson's ribs. I recollect the prisoners referred to by Guard Lyons; they were Gunstock, McKenna and Pomroy; after they were found they were struck by all the guards present. I struck McKenna; it was for secreting themselves they were struck; they were placed in irons for 24 hours. I do not know whether they worked in shackles or not for the balance of their term. I have no recollection of the cir cumstances referred to by Cook Cunningham as taking place in June 1876; I never kicked an old man down stairs; I never struck prisoner Spackman; Guard Johns statement as to my striking Spackman and to the expressions I used to him (Spackman), is untrue; the Warden was present all the time; I never struck prisoner Harrigan; he was in the north wing, and Guard Johns reported him sick; I asked Harrigan what was the matter, he said a pain in his arm, I took hold of the arm and lifted it up to see where the pain was, and he cried out, as he had often done before; I told him there was nothing the matter with him, and he would have to go to work, and I put him in irons and reported to the Warden who said I was to leave him there until the doctor came; I can't say how long he was left there; I went to him some time after, he was making the same complaint, and thinking there might be something the matter with him, I took him out of irons; the doctor visited the prison shortly after and examined Harrigan, and told him there was nothing the matter, and sent him to work; I did not punch him in the ribs. I know prisoner Farrell; some time in April or May this year, I found him in his cell asleep, with his clothes on including boots and hat; this was the marching out time in the morning; he complained of being sick and I took the Doctor to see him; he ordered him to have a bath, and to be sent to work next morning; I sent him to work next morning; the morning afterwards he came to me and said he was sick and unable to work, I said I thought there was nothing the matter, and that he could either go to work or to the dark cell; he said he did not care a d—n whether he went to the dark cell or not; I then put him in irons; that same morning I reported the offence to the Warden and that I had placed the prisoner in irons; in passing through the dining-hall a guard told me (I think Eames) he thought Farrell was sick, and I told him to take him out of irons, and to leave him in the dark cell until the Doctor came; the Doctor came, and on examining the prisoner pronounced him well and sent him out to work; he worked in the fire hole for the Car Company and did not complain of sickness afterwards. I knew Basy a prisoner; I ordered him to be put in the dark cell for threatening me in the yard; I forget the date; Guard Johns came and told me Basy would not be put in irons; just then the Warden came along, and I told him I had ordered Basy to be put in irons for threatening me and that he had refused to be put in irons; he went down to the dark cell with me, I went into the cell, and when Basy refused to be put in irons, I drew my revolver to frighten him (it was not loaded at the time), but he still refused, saying he would not go in irons unless the Warden ordered him; the Warden then gave the order and he allowed me to put him in irons; I never ordered Guard Johns not to lower Basy down for any purpose, or to put the bucket on a chair when he wanted the bucket; prisoner Wells was put in irons, but I did not order Johns or any other Guard not to lower him down for any purpose; I saw Wells down sitting on the bucket myself; Wells was not in irons more than once; I do not remember saying to Guard Eames on my return to the guard-room, after the trouble with prisoner Lewis, that the key was bent.

Adjourned.

Investigation resumed at 2.30 p.m., 11th Nov., 1876.

MR. STEDMAN recalled.—About the beginning of this year I was passing through the dining hall and found Collins quarrelling with one of the tailors, and threatening the tailor with a pair of scissors. (The prisoner Collins was serving out a two years sentence for stabbing). When I spoke to him he was very insolent, and I brought him before the Warden who ordered him to be put in irons; Guard Eames took him to the dark cell and returned to the office and stated that Collins would not go into irons, and he could not put him in; I went to the dark cell and told Collins he must go into irons; he would not, and I then threw him down, and while down he kicked me in the breast, and once in the privates; the last kick I am not over the effects of yet; I put the irons on, and put him up to the ring; I did not jam his head against the cell wall; his punishment was to have been 56 hours in irons, but the Warden visited his cell the next day, and on his promising to behave himself in future, ordered him to be let down and he was taken down and sent to work. I never presented a revolver at Gunstock. I did order Gordon to the dark cell; he had been discharged from the hospital by Dr Aikens a day or two before, and refused to work, and I told him he must either work or go to the dark cell; he said he would go to the dark cell, and I sent him there. The same day, or the day after, Eames said he would take Gordon as a cleaner, and he was allowed to work under Eames as a cleaner. I have had conversation several times with Dr. Aikins about prisoners' shamming or pretending sickness when quite well. The Doctor has often examined prisoners who said they were sick, and has sent them down to work, as he found there was nothing the matter with them. The Surgeon visits the Prison at irregular hours, sometimes at 10 a.m., and at all hours from that until 3 p.m. He does not come every day. Sometimes Dr. Wagner comes. Sometimes a day elapses without either of them being here. The rules require the Gaol Surgeon to visit the Prison at least once a day, not later than 9 a.m., and oftener if required. It is almost impossible to tell whether a prisoner is shamming sickness or not, if the Doctor is not present.

All these charges brought against me for putting prisoners in irons, are cases when the other guards were unable to put them in.

I was sent to Albany before the opening of the Prison, under instructions from the Inspector and Warden, for the purpose of learning the management and discipline of that place; I saw one or two prisoners punished; they were placed in irons, and a black cap drawn over their heads, so that they could not see; the ring is placed the same as in the Central Prison; I don't know the character of their offences, or the term of their sentence; the treatment of the prisoners in that institution is much more severe than here.

I never reported anything to the press since I was appointed Deputy Chief Guard in 1874. If the other guards cannot put a man in irons they come to me. There was a prisoner of the name of Ormond who, one morning would not come out of his cell to work; three of the guards went to bring him out, but were afraid to go into his cell, as they sent for me, and I brought him out and placed him in irons in the dark cell; after he was in irons, Beaumont took off the prisoner's boot and beat him over the head, and cut his head open in two places; that man was never reported to the Warden; it was Beaumont's duty to report; he was kept fifty-six hours in irons. I told the Warden about it one or two days afterwards. A prisoner named Quinn would not leave the cell, and when I went to the cell I found Beaumont beating him with a stick. I refused to bring the prisoner out. I once found a knife on O'Shaughnessey when I was putting him in the dark cell. It may have been the time referred to in the evidence given by the guards.

RICHARD H. STEDMAN

CHARLES BRANDON sworn.—Am head foreman in the Mechanical Department of the Canada Car Company's works in the Central Prison; I never saw any cruelty to prisoners; they are not punished in my presence; when prisoners have been in irons, I have noticed their wrists were swollen and their arms would be stiff. There has been no ill-treatment of prisoners inside of the shops so far as I know. I never was employed in any industrial prison before. About March, 1876, prisoner Perkins reported to Guard Kirkpatrick that he was sick and unable to work; the guard told me he reported him; the prisoner was brought back, and left standing near the door. I thought Perkins unfit for work.

A. BRANDON

Adjourned

Resumed 3 p.m., 13th November.

GUARD NEWTON recalled.—The bone and ivory work referred to by me in my former evidence consisted of ear-drops, crosses and other ornaments for watch chains. I don't know whether Jones made bone work for other guards or not. I have seen bone ornaments on other guards and hair-watch-chains, but don't know how they got them. I never had any bone-work made by prisoners. This was prior to May, 1876; the Warden, about that date, issued an order forbidding guards having any work of the kind done by prisoners.

Mr. Stedman told me the bone-work was for him. I think prisoner Lewis was confined in his cell, because he was considered insane. I understood so at the time; the next morning after Lewis was beaten I heard it talked about by the guards; I never heard any of them say that Lewis had offered to strike Stedman before Stedman struck him with the key, or that he resisted in any way; nor did I hear that any of the guards were afraid to go into Lewis' cell. I have seen prisoners resist when being put into the dark cell. It is a common thing to find knives and files on prisoners. I think they get those things for carrying on bone work in the cells.

R. Newton.

Guard Eames recalled.—After Lewis was struck by Stedman it was talked about by the other guards. I did not hear any of them say that Lewis had offered to strike Stedman before Stedman struck him, nor that any of the guards were afraid to go into Lewis' cell. Before Lewis was struck he was considered insane, he was allowed to go around the prison yard and not made to work.

I have put men in the dark cell and on searching them have sometimes found knives and files. I never knew or heard that any prisoner had drawn a knife or file on a guard.

H. Eames.

Guard Johns, recalled.—I assisted Guard Eames in putting Farrell in irons about April of this year. I cannot state the time I put prisoner Wells in irons. I put the prisoners who are in the north wing in irons when ordered; no other guard does this duty unless acting Chief Guard Stedman, who sometimes puts prisoners in irons himself. I recollect guards in the guard-room talking about Stedman striking Lewis with a key. I did not hear any of the Guards say that Lewis offered to strike Stedman before Stedman struck him. I did not hear that the other guards were afraid to go into Lewis' cell. I sometimes find knives and files on prisoners when searching them in the dark cell; they never offered to strike me with a knife or file. I never heard of a prisoner drawing a knife or file on a guard.

W. Johns.

Guard Mansell, recalled.—The night Stedman struck prisoner Lewis, I was not afraid to go into his cell. Lewis did not dare me and other guards to come in. I opened the cell door. I could see all that took place in the cell. I think we had a lantern with us. Lewis had nothing in his hand; he was looking at the top of his cell and was not looking at us. He was shouting at the top of his voice and seemed to be frightened at something, that had occurred previously to our going in. Lewis did not take hold of Stedman. Stedman threw him on the bed and Lewis continued shouting when Stedman struck him with the key. I can't say how many times, but more than once. Stedman took hold of the key about one third of the way up. Mr Stedman did not say to me that Lewis had offered to strike him. There was a stone which would weigh about three or four pounds in the cell; it had been broken off the stone corner of the cell. Lewis did not have that stone in his hand when we went to the cell; the bedstead in the cell was made of iron. I did not notice that it was broken; the leg of the bedstead, or a piece of the frame work might be broken off by a strong man; had the leg been broken we must have noticed it when Lewis was thrown on the bed. I was the corridor guard on duty that night; one of the reasons why I thought him insane was, that when he was asked a question he would answer as though quite a different question had been put to him; he appeared to be gloomy and absent minded; he never spoke to another prisoner to my knowledge. I considered him a man who might commit suicide; the beating took place not over a week previous to his removal to the London Asylum. I went round several times in the night, and the last time I went round he was still hand bound; his hands to the best of my recollection were behind him; the blow was as hard as Stedman could give in the position he was placed in. I think Stedman struck him before he threw him on the bed but am not certain. I have seen prisoners make resistance and heard of it very frequently. I have often found knives and files on prisoners; have never known a prisoner draw a weapon on a guard. Mr Stedman told the guard that a prisoner had taken up a hammer to strike him. I have heard of guards sending for Stedman when prisoners were answering ugly. O'Shaughnessey was evidently a very bad man and would not hesitate to say anything, and I believe would do bodily injury. I have never heard any expression by any guard which would indicate they desired to get rid of Stedman. Prisoner Hickie was a nasty tempered, and a dangerous man; I have seen him domineering over an old man, and when the old man would not do what Hickie wanted, he got into a passion and said he would strike him if he had been outside.

WM. J. MANSELL

Guard UNIACKE recalled.—Lewis acted very foolishly. When he was asked a question, he would not answer. I think this was before he was struck with the key: I heard he had tied up a bundle in the shape of a man, in his cell. I remember the guards talking about Lewis being struck. I heard Doherty and others talking about it; did not hear them say that Lewis offered to strike Stedman before Stedman struck him. I did not hear anything about the guards being afraid to go into Lewis' cell. I think I heard Guard Gifford say that he and Lewis had some difficulty one morning. I remember the time Mr. Gifford refers to, about the bathing. I met Mr. Stedman at the door, and he asked what I brought up my men for! I said, "It is four o'clock." He said, "No." Cannot say whether I met Clifford's gang or not. I remember prisoner Hawkins; about four weeks ago I heard some one calling in the dark cell; I went to acting Deputy Chief Guard Newton, and told him Hawkins (the prisoner,) was in a fainting condition. Hawkins' face was pale. I did not hear Hickie say to Stedman in the cell, he would not allow any black son of a b—h like him to take him to the dungeon; he might have said so, but I did not hear him. I did not hear Stedman strike him in his cell. It was outside where I saw Stedman strike him. He was very noisy in his cell: outside the cell I saw Stedman strike him as given in my evidence. When we took Hickie out of his cell, I walked by his side and Stedman said "Hickie, you are not going to carry on any of your capers here," and struck him. I do not think Hickie said anything after he left the cell until he was struck. He struck him with the back of his hand. I think his fist was clenched; I think I am certain. I was close to Hickie, and by the pressure of Hickie against me when struck I think Stedman's fist must have been clenched. Hickie was a bad man—he had a very bad character before coming here: he had a dangerous look and was considered dangerous, and had threatened Guard Somers. I have found knives on prisoners. I never knew or heard of prisoners offering to strike guards with knives, or files, or other weapons.

M. UNIACKE.

Adjourned.

Resumed 7.30 p.m. 13th November.

Guard GIFFORD recalled.—When Lewis was in his cell he was always reading his Bible, and would ask me the meaning of certain verses: from the peculiar character of the questions and his manner of asking them, I thought he must be insane: when I was on night duty I would hear him shouting in Welsh: the next day after Stedman struck Lewis it was a matter of general conversation. I never heard any of the guards say that Lewis had offered to strike Stedman before Stedman struck him; I did not hear that the guards who were with Stedman were afraid to go into Lewis cell before Stedman came up. I did not have any bone work made for me by any of the prisoners. I have found knives and files on prisoners. I am of opinion they got the knives for the purpose of cutting tobacco, and the files to make bone work. The knives were made out of pieces of steel or iron and stuck into a wooden handle. I never heard of a prisoner offering to strike a guard, either with a file, knife, or any other weapon. I never had any trouble with Lewis. I never told Uniacke I had. Hickey was a quick-tempered man. O'Shaughnessy was a quick-tempered man.

WM. GIFFORD.

Guard HILL recalled.—I witnessed a raffle in the guards' sleeping apartment in April, 1876. The armoury was in the dining-room. I was in the guards' sleeping apartment when they were raffling. Guard Gifford came to me and drew my attention to the fact of the armoury door being open: there were three or four prisoners (guard-room waiters) in the dining-room, having their breakfasts. Mr Stedman was in the sleeping apartment taking part in the raffle. The corridor guards keep the key of the armoury. I did not tell Mr Stedman or any other guard that the armoury was open, and did not shut the door. The reason I thought Lewis insane was hearing the guards say so. I do not think a sane man would shout in the way he did. I do not remember anything being said about it afterwards by the guards. I did not hear that Lewis offered to strike Mr Stedman before Stedman struck him. I have found knives and files on prisoners. I never heard of a prisoner offering to strike a guard with a knife or file. I heard prisoner Farrell say that he would knock some person on the head with his hammer if he thought he had any extra time to put in after his sentence expired.

FREDERICK HILL.

D. CUNNINGHAM, recalled.—At the time I saw Stedman strike prisoner Hickey I was about six feet from him. Uniacke was forcing Hickey along. Hickey was very violent, he used some very abusive language, he called Stedman some very offensive names before Stedman struck him.

D. CUNNINGHAM.

DR AIKINS recalled.—In visiting the Prison I have been brought into constant communication with Mr Stedman and have had the very best opportunity of forming an estimate of his ability as Chief and Deputy-Chief Guard, also, of forming an opinion as to his disposition, and I have no hesitation in saying that in my opinion, Mr Stedman is not a cruel man. prisoner Perkins may have complained of being sick and sent out to work, but on no occasion has a prisoner been sent to work after being examined by me and found unable to work, until I discharged him as convalescent.

W. J. AIKINS.

WM. STRATTON PRINCE, sworn.—Am Warden of the Central Prison, was appointed prior to the opening of the Prison, previously to my appointment I held the office of Chief of Police of Toronto for about 16 years, after being sworn in, and prior to taking charge of the Central Prison, I visited the following Prisons in the United States for the purpose of ascertaining the system of working, and particularly as to prisoners' diet, punishments, and the general discipline: Albany Penitentiary, Massachusetts State Prison at Boston, House of Correction at Chicago, the Illinois State Prison at Jolliette, House of Correction at Boston, Michigan State Prison at Jackson, and the House of Correction at Detroit. These are all industrial prisons. The Albany State Prison, the House of Correction at Detroit, the House of Correction at Chicago, and Munro County Prison, assimilate more nearly to the Central Prison as to term of sentence, while in some cases the term of sentence is for life, they yet receive prisoners for as short a time as twenty days. The Albany Penitentiary ranks first among American Industrial Prisons as to strictness of discipline, also as a financial success. With the approval of the Inspector I adopted the system of the Albany and Jolliette Prisons as my guide for discipline and management. During my visits to these prisons, I found the authorities exceedingly reticent as to punishments. I did not see any punishment record book. The system of punishment in Illinois, being the pumping of cold water on the spine, I did not approve of. I understood from the Deputy Warden that in Albany, Jolliette and Massachusetts, the punishment in irons in dark cell, ranged from 12 hours to 15 days, according to the offence, and was regulated according to the conduct of prisoners when in irons. I saw a prisoner undergoing punishment in irons,—he had been in irons for a week. He was said to be a very dangerous character, and would strike any of the guards he could get at. Punishment in irons in a dark cell was inflicted for insubordination, fighting, disobeying rules after repeated warnings, assaults upon officers, refusing to work, and repeated breaches of prison discipline. On my recommendation Mr Beaumont and Mr Stedman were sent to visit these Institutions,—Mr Stedman to Albany, and Mr Beaumont to Jolliette, on their return they made a full report as to discipline, diet, and everything connected with those prisons. The Central Prison opened on 1st January 1874, Mr Beaumont being the Chief Guard and Mr Stedman the Deputy Chief Guard, I may state here that the dungeons in Albany and Jolliette Prisons were situated away from the corridors. In the Central Prison we had no dark cell or place of punishment. I was compelled to select 4 cells, two in each corridor, and convert them into dark cells, by putting a wooden door in front of the grated door. I adopted, as far as possible, the system carried on in Albany as to punishment, being guided by the information I obtained on my visit to the Prisons, and that furnished by Mr. Beaumont and Mr Stedman, and in no case has a prisoner been confined in a dark cell, and in irons, continuously for more than 72 hours, and in only one instance for that time, and he was taken down to meals, and to use the bucket; this was for insolence to the Guard and Foreman. After a prisoner has been for many hours in irons, I always ask him if he is sorry, and if he expresses penitence, I have him taken down; I do not remember the particulars of the insolence in the case referred to, when the punishment was 72 hours. In awarding punishment, I am guided by the previous conduct of the prisoner, the nature of the offence, and the age, health, and constitution of the man. As a general rule, I have found the system of punishment effective in accomplishing the object desired. Mr Stedman's evidence as to cutting hair of prisoners' heads is correct. About eighteen months ago I issued an order that the hair of prisoners was not to be cut for one month previously to their discharge, and that order has been obeyed. I remember Stedman reporting that prisoner Lewis was shouting and disorderly, and disturbing the whole wing, and that other prisoners were following his example, and that he was tearing his bed to pieces; I ordered him to be handcuffed with his hands behind his back, and to gag him; it is so long ago, I cannot state positively as to Lewis being insane at that time; if he was a lunatic, he was a very violent one. No officer made a report to me that Stedman struck Lewis with a key; the first I heard of it was during this investigation. I ordered the Chief Guard to take Finlayson out and give him a good rope's ending; he (Finlayson) had concealed himself for two days and nights, and kept the guards up; that Beaumont struck him with a stick was not known to me, and I would not have allowed treatment of that kind had I known it. I gave verbal orders to the Chief and Deputy Chief Guards that prisoners that are reported to them by the other guards for fighting were to be placed in the dark cell, and if in putting them into the cell the prisoners were violent, they were to put them in irons and report to me. Also, if prisoners refused to work and on being removed from their gangs became violent or insubordinate on being taken to the dark cell they were to be placed in irons and reported to me. If prisoners were found talking, smoking, idling, or other minor offences they were not to be removed from their gang, but reported for my disposal in the evening, after they came off labour, when they would be sent to the dark cell, or deprived of their light, and of supper, according to the nature and frequency of the offence. If the prisoner reported himself sick, it was the duty of the Deputy-Chief Guard to keep him in his cell and then report to me, but not to put him in irons. Prisoner McCarthy was not able to do any hard work, and having nothing else for him to do I allowed him to paint two pictures for my room, and some for the guards. I consider the pictures in my room the property of the Government, as part of the furniture. I did say to Stedman to lick Dillon and Carson when they were found. I did not suppose he would strike him over the head with his cane, as alleged by some of the guards. I never heard of a affle taking place in the prison until this investigation. If I had heard of it, I am certain it would not have occurred again. I do not think I ordered O'Shaughnessy 72 hours in irons; my impression is I ordered him in irons until further orders, and that he was obstinate and was kept in irons for 72 hours. I do not recollect being present when he was put in irons. I visited him every day and found him stubborn and unyielding. His offence was insolence to the Guard and Foreman, and refusing to work. He was a stubborn, dogged, troublesome man, and a light punishment, or a short term in irons, would not have had any effect. Prisoners in irons were in all cases to be taken down to meals, and to the bucket at 5.30 p.m. and at 6 o'clock in the morning. During the night they could not be taken down without turning the crank, which bars all the doors, nor without disturbing all the prisoners in the wing, and waking up the guards in the dormitary to get the key. Guards were not allowed to strike prisoners, except in drilling when a slight tap to call the attention of the prisoner to his feet or arms not being kept in the right place, was allowed. Even this has been discontinued, as I found one of the guards had struck a prisoner over the back with his cane. One afternoon the Deputy-Chief Guard reported that prisoner Bagy would not go into irons as I had ordered. I went to the dark cell and saw the man; He defied the guards. I told Stedman to put him in irons. Bagy defied him, and when Stedman went to put the irons on Bagy said—"If the Warden says so, I will be put in irons." And he did not offer any further resistance. I saw Stedman draw his revolver and I heard him say to Easy he would take no nonsense and that he had better be quiet Stedman afterwards showed me his revolver and it was not loaded

W. S. Prince.

Adjourned.

Resumed at 11 a.m. 14th November 1875

Stephen Lett sworn.—I am Assistant Physician in the London Lunatic Asylum was appointed in September 1870 I remember that on the 15th February 1875, three lunatics were brought from the Central Prison to the London Asylum, by the Prison Bailiff their names were John Elmes, Edwin Lewis and William Guard when a lunatic is received from a prison or gaol by warrant, he is handed over to one of the chief attendants with instructions to examine the patients at once, and see whether he is clean has bruises, or eruptions, &c. and if the lunatic is not clean, or has bruises on him or eruptions, the attendant reports at once to one of the doctors the attendant would make a report in any case in this particular case I noticed there was something wrong about the motion of Elmes arm, and sent for Dr Alexander to examine him he reported the arm as being extensively bruised and that Elmes could not raise it without the assistance of the other hand William Guard was, I think, reported all correct Edwin Lewis was reported as having a bruise on his head I may have said to the prison bailiff that one of the lunatics had been badly treated if I did say so I must have meant Elmes the bruise on Lewis' head could not have been very serious or I would have heard of it when lunatics shout or make a great noise we remove them to the refractory ward and sometimes give them a sedative or a stimulant we never gag them or tie their hands behind their back lunatics are frequently tied by the hands to prevent them destroying property I have never seen lunatics with their hands tied behind their backs when Lewis first came in he was put in the refractory ward, owing to representations that he was an epileptic, and had hallucinations which might lead to homicidal acts we found Lewis quiet enough he may possibly have shouted but I cannot remember his doing so he has not had a fit of epilepsy since he came to the Asylum cases of tying the hands of lunatics are very rare indeed in the London Asylum, and when I say tying the hands, I mean that the leather muffs are put on.

Stephen Lett,
M.C.P.

Dr Aikins' certificate as to the insanity of prisoner Lewis, is dated 5th January 1875.

The Doctor in his certificate states he is unwilling to communicate in conversation looks insane, imagines persons are laying snares to get him into difficulties. Is naturally depressed, sees visions, has communications from heaven, &c., &c. He has not attempted or threatened to harm himself or others It is alleged by the Central Prison Hospital Guard that he had an epileptic fit in church on the 3rd instant.

John Boyd's (County Judge) certificate is dated 9th January 1875

Dr. Richardson's certificate is dated 6th January 1875.

S. C. Wood.

Adjourned.

Resumed at 2.15 p.m. 14th November

Captain Prince, recalled —I recollect ordering Collins to be put in irons, I also remember visiting his cell the next day and on his expressing contrition for his offence, I had him released from irons I know that Stedman has been applied to, over and over again, to come and put prisoners in irons, and I have gone to the dark cell when Stedman has been putting prisoners in irons and have seen guards standing outside the cell and they appeared as though they were afraid to put the prisoners in irons themselves. I have never shown any partiality to guards. I have found prison guards to be like any other men, some complaining of petty matters, others satisfied when fairly treated. When one has 18 or 20 guards to deal with, and all are required to submit to the rules of the Prison, it is to be expected that instances will occur when a jealous or suspicious guard will think he is treated more severely than others, and that partiality is shown, but I am not aware of giving any cause. I put in statement marked "W" and wish it to form part of my evidence

W S. PRINCE.

(Statement marked "W")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO.

Mr Stedman has been the support and mainstay of the discipline of the prison. He has devoted himself with energy and earnestness to enforcing my orders, and the rules and regulations and without his watchfulness and truthfulness in reporting breaches of duty on the part of the officers of the prison, I could not have attained the discipline, order and method which exists in the working of the prison at the present time. His thorough zealousness in the discharge of duty his truthfulness (for I have never found him in a falsehood) his strict temperance, and his unflinching resolve to observe and make others observe the discipline of the prison have been of the greatest service to the Government and to myself as Warden. Indeed he is the only officer who has appeared to take the same pride in the prison as I take myself, and to assist me by unusual capacities and strict sense of duty to make the prison what it is. The improvement of the front grounds is due to him, the laying out of which must have saved the Government much expense, and this has been done by him in addition to his other onerous duties. The church services, Catholic and Protestant, were improved by him in the selection and organizing of an excellent choir He has succeeded in re-capturing single-handed four prisoners, who had escaped from the prison and I can confidently state that had it not been for his watchfulness in reporting circumstances to me other prisoners must have escaped That he has been acting Chief Guard more than eight months during which period, the prison duties have been conducted with efficiency in every respect, and apparently with complete harmony that in my daily contact with the prisoners, I have no recollection of one of them having preferred any complaint against Mr Stedman and in addition to my visiting the gangs, both morning and afternoon I have been in the habit of visiting the cells on Sunday afternoon, when each prisoner had an opportunity of making complaints had he desired to do so, and I wish further to state, that not a single guard has ever complained to me of any ill treatment of prisoners by Mr Stedman.

W S. PRINCE.

ALFRED ELLIOT was Hospital Guard in January 1875 and now in England states, I was standing by at the time Guard Johns refers to, when Stedman was putting Spackman in irons, and did not see Stedman strike Spackman, neither did I hear the words Guard Johns says Stedman used.

W S. PRINCE.

Dr WM G WAGNER, sworn.—I have acted at different times since the opening of the prison for Dr Aikins, as medical attendant I have attended prisoners in the hospital in their cells, and in the dark cell. I never heard any prisoner complain of his treatment Have never seen any act of cruelty on the part of the guards towards the prisoners. When Mr Stedman was Deputy Chief Guard I was brought in contact a good deal with him during my visits to the prison I consider him a strict disciplinarian, but I do not consider him a cruel man I have never treated any prisoners for wounds received as punishment, except in one case I forget the name of the prisoner he had been fighting with another prisoner and one of the guards struck him across the back, I don't remember looking at the wound. I prescribed oil.

W J WAGNER.

Mr STEDMAN recalled.—I have served as an executive officer in the Central Prison from its opening with faithfulness, and discharged my duties to the best of my ability

For the last eight months I have been acting as Chief Guard. I deny the charges of cruelty preferred against me, and I assert that they are false and malicious, and that they would never have been instituted had I been indifferent to the welfare of the prison, and had been guilty of neglect of duty in concealing from the Warden derelictions of duty on the part of the guards, instead of reporting them to him. I have ever upheld the discipline of the prison, enforcing the rules and regulations and the Warden's orders, with strictness and impartiality. I would respectfully ask the Commissioner to compare my record of conduct with that of other officials. I beg to state that on the 3rd of July, 1874, Guard O'Brien was seen, when out on duty, drunk at a tavern at 4 o'clock in the afternoon; and stopping a traveller on the public highway, pointed a loaded revolver at him, threatening to shoot him if he did not stop, and repeatedly fired off his revolver—loaded with ball cartridge—along the public streets. Capt. Prince dismissed him from the Central Prison, but he was shortly after reinstalled by the Honourable Mr Fraser, Commissioner of Public Works. He shortly afterwards got drunk and caused disorder and disturbance throughout the north corridor at 12, midnight. On the 14th November, 1874, one of the officers named Michael English, was absent, without leave, from his duties from 9 a.m. till 3 p.m., when he returned to the prison under the influence of liquor, commenced kicking the prison doors, calling out, and creating a disturbance and excitement among the prisoners. He had already been reported three times before. No action was taken in the matter although his conduct and character were represented by the Warden as unfit for a prison official.

RICHARD H. STEDMAN

J. B. CAMPBELL, recalled by Mr STEDMAN.—When I came to the prison I was a stranger. I knew none of the Guards. I was told by Gifford on one occasion to look out for Mr Stedman,—that he was a dangerous man and would undermine me if he could if I gave him the slightest chance. From conversations I had with other guards I was led to believe they entertained an ill-feeling towards Mr Stedman. I thoroughly believe the ill-feeling, on the part of some of the guards, towards Mr Stedman is the cause of their giving evidence against him. I do not know of any conspiracy against Mr Stedman, but I believe there is, from what I have seen and heard. Eames, Gifford and Hill have spoken bitterly of Stedman. I have never heard Uniacke, Newton, Mansell, Johns, Dean, Kirkpatrick or Butler speak against Stedman.

JOHN B. CAMPBELL

W. J. MANSELL, recalled.—I was on duty as night-guard the time Lewis was beaten by Mr Stedman. Properly speaking, I was the night patrol guard. There was no corridor guard on duty at night. I reported the shouting of Lewis to Mr Stedman. I did not say to Mr Stedman that Lewis was breaking up all the furniture in his cell. I did not know until this day that Lewis broke up his furniture. I never saw any broken furniture in his cell. I saw the stone referred to in my evidence, but nothing else in his cell that was broken.

W. J. MANSELL

Guard BUTLER, recalled by Mr. STEDMAN.—I have been a guard since 8th March 1876. About two months ago Guard Eames spoke to me about Dillon's case, and from what he said, I think he was trying to influence my mind against Stedman. Have heard Guards Eames, Gifford, Uniacke and Hill speak very unfavourably of Stedman. I cannot recollect the exact language. From what I have heard I have believed these guards were intriguing with Beaumont against Stedman. I do not speak of my own knowledge, but of what I have heard. Their language to me confirmed it. I never saw Beaumont speaking to these guards. I did see him one evening talking to Cunningham. The subject of their conversation was a letter in the *Irish Canadian* Newspaper. Beaumont said he wrote it. Cunningham said it was not bad. I cannot give the particulars as to what the guards said which led me to believe they were intriguing. I did not hear any of the guards say they hoped Stedman would be dismissed. Some said they thought he would. I overheard Hill say to Gifford and Uniacke, "We would be very comfortable here, if Stedman was away." This was during the investigation. The other day, after giving my evidence, Guard Eames-asked me, had I been giving my evidence, and asked me what I had said in reference to Dillon. I answered "Nothing," as I did not consider he had been ill-treated. He said he would have me brought before the Commissioner again, or expose me; that I ought to give evidence as to Dillon. The next evening I saw an article in the *Telegram* newspaper, signed "Examiner," and believe Guard Gifford wrote it, or furnished the information to others to write it.

WALTER BOWLES.

Adjourned.

Resumed at 11 a.m., 16th November.

HENRY SOFTLY, sworn.—Am Mission Agent of the Prisoners' Aid Association, and in that capacity I have visited the Central Prison since its opening. I visit the prison every Sunday afternoon. I generally remain four hours. I also attend the Sabbath School every other Sunday, along with a staff of forty teachers. We hold religious services every other Sunday, when clergymen of the various denominations officiate. The Catholic clergy have service every Sunday early in the morning. I visit the prisoners in their cells, and converse with them on religious subjects, and give them tracts. Some few of them give me their confidence and tell me their troubles. I remember prisoner Spackman showing me his back. There were red-coloured marks across his back, but I did not notice that the skin was broken. He told me he had tried to escape. He was apparently a very stubborn, bad man. I could not make any impression on him. I can't give dates. I recollect several prisoners, on leaving the prison, telling they had been kicked and beaten by Mr Stedman the Deputy Chief Guard. I have heard complaints of this kind within the past eight months, but not within the last two months. Dillon complained to me on leaving that he had been beaten severely by Stedman with a stick, but I did not attach much importance to it, as I considered him a bad man. I never heard him swear or pray,—he seemed to be hardened. Finlayson complained of being ill-used by the Chief Guard. Comb did not complain of being ill-used. I don't remember Lewis, O'Shaughnessy, Collins, Hickey, Bary, Carson, Jones, Gibbons, Edwards, Hunt, Gordon, Fairchild, Farrell, Hartigan or Perkins. They did not complain to me. I remember Gunstock, but he never complained to me. I have heard several prisoners say that very bad language is used by the prisoners, and that they are not punished for it. I never heard any bad language used in the prison myself. I have not communicated to the Inspector or any of the officers of the prison the complaints of the prisoners. Had I heard of any glaringly bad case, I should have considered it my duty to report it to the Inspector. Neither the Warden nor the Mayor of Toronto visited Sunday School. I don't recollect inviting them.

HENRY SOFTLY.

Adjourned.

CENTRAL PRISON, Nov 17th, 1876.

J. W. Langmuir, Esq.,
Inspector of Prisons, Toronto.

SIR,—Ever since I entered the service of the Central Prison, I have had but one object in view, viz., the discharge of the duties assigned to me, to the best of my ability, without fear or favour. This I can honestly say I have done; but in so doing I know I have raised up for myself enemies in every quarter, so many that I am afraid my usefulness as an officer of the prison is gone; that I may have committed errors of judgment, and perhaps in a few instances, in my zeal and honest desire to make the Central Prison, what I now consider it is, the Model Prison of the continent, I may have erred sometimes in enforcing too rigid discipline; but only one having knowledge of the prisoners he has to contend with, and the necessity for promptly putting down every act of insubordination, no matter how trifling, can judge what is best to be done; my conscience tells me that I have done nothing wrong in this way but everything for the best interest of the prison. I do not wish to say one word against those who have conspired against me, as I feel that time will fully clear my character. Feeling, however, as I do, that by remaining in my position my enemies in trying to ruin me will also try to injure the prison, and that by remaining I would only embarrass the Government, I herewith tender my resignation of my position as acting Chief Guard and would request to be immediately relieved.

I have the honour to be, Sir,
Your obedient servant,
RICH'D H. STEDMAN.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, 21st November, 1876.

SIR,—I regret having to report, that the insubordination of a large number of the prisoners confined in the Central Prison became so general yesterday, as to amount to a preconcerted mutiny which, unless it had been promptly dealt with, might have resulted most disastrously to the discipline and government of the prison. For some time back it would appear that serious evidences of combined insubordination have been apparent, but which became very marked at the prisoners' dinner call yesterday in the prevalence of a good deal of noise and turbulence. The alleged cause on that occasion was the insufficiency of the rations, which I may remark is the most liberal of any prison in Canada, and fully as liberal as any prison in America, and if compared with the rations allowed to British soldiers will be found to be better in all respects. The average weight of solid food, besides tea and coffee, allowed to each prisoner per day is equal to 65 ounces.

When the prisoners' dinner was finished they were marched out in gangs to their work, and 66 refused to proceed with their respective employments. The matter was reported to me, and I immediately proceeded to the prison, arriving at 2.30 p.m. I at once ordered all the prisoners to be formed into line in three gangs, the guards being present with loaded rifles and pistols.

I informed the prisoners that the rules of the prison would be rigidly enforced, both in respect to labour and discipline; that insubordination in any and every shape would be instantly put down with a firm hand. I pointed out the liberal nature of the dietary, showing that no reasonable ground for complaint existed. I asked all the prisoners who were instantly prepared to go to work to remain in line, and those that were not, to step to the front. Four stepped to the front, and although further explanation was made to these four men, they persisted in their insubordination, when I ordered that fifteen lashes should be given to each on their bare backs in presence of all the prisoners. On enquiry I found that one of the four prisoners was mentally weak, and therefore not entirely responsible for his acts, and who was therefore not punished. The other three were hardened and careless, the prisoners were again formed in line, around the prison square when the punishment ordered was proceeded with. I trust and believe that the object of the punishment has been fully accomplished, and that insubordination of this combined nature will be stopped.

I have also ordered that the use of the associated dining room shall be abolished, and that the dinners as in the case with the breakfasts and suppers will be served to each prisoner in his cell. This I trust, will reduce the means of communication with each other and prevent combined action, which undoubtedly had been arranged yesterday.

I have the honour to be
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

The Honourable,
The Provincial Secretary.

SCHEDULE OF LETTERS AND REPORTS RELATING TO THE INTERNAL MANAGEMENT OF THE CENTRAL PRISON TORONTO

1875

March 30.—Letter from the Provincial Treasurer to the Inspector of Asylums, Prisons, &c., enclosing a Memo. on the latter's Report on an inquiry held in the Central Prison.
Feby 17.—Report of the Inspector of Asylums, Prisons &c. of his investigation, including minutes of evidence taken 10th February 1875.
19.—Report of the Inspector on the escape of two prisoners, in the minutes of investigation.
June 11.—Report of the Inspector of Asylums, Prisons &c., on the escape of a prisoner from the Central Prison on the 14th May 1875.
" 17.—Letter from Assistant Secretary Eckart to the Inspector of Asylums, Prisons, &c.
" 30.—Report of the Inspector of Asylums, Prisons, &c. on the escape of two prisoners on the 31st May 1875.
July 7.—Letter from Assistant-Secretary Eckart to the Inspector of Asylums, Prisons, &c.

1876

Nov 16.—Report of the Provincial Secretary to the Executive Council, submitting the evidence taken at the investigation into the internal management of the Central Prison.
Aug. 17.—Letter from the Inspector of Asylums, Prisons, &c. to the Provincial Secretary Index to the Investigation.
Oct. 31.—Minutes of evidence relating to the general management of the Central Prison.
Nov 17.—Letter of resignation of Acting Chief Guard Richard H. Stedman.
" 21.—Report of the Inspector of Prisons, Asylums &c., on the suppression of a mutiny in the Central Prison.
Dec. 30.—Memo by the Provincial Secretary on his investigation of charges made by the Warden of the Central Prison against Chief Guard Beaumont.

1878

Sept 19.—Letter from the Warden to the Inspector of Asylums, Prisons &c. enclosing a letter dated 6th September from Guard Wall complaining of the conduct of Chief Guard Beaumont.
Sept. 20.—Minutes of investigation of certain charges by Patrick Wall against Chief Guard Beaumont.
22.—Letter from Chief Guard Beaumont to the Inspector of Asylums, Prisons, &c.
Feby 20.—Letter from the Warden to the Inspector of Asylums, Prisons, &c.
March 1.—Letter from the Inspector to the Provincial Secretary
3.—Letter from the Inspector to the Warden of the Central Prison.
9.—Letter from Chief Guard Beaumont to the Provincial Secretary
" 17.—Letter from the Inspector to Chief Guard Beaumont.
22.—Letter from Chief Guard Beaumont to the Provincial Secretary, enclosing copy of a letter from him to the Inspector
" 26.—Letter from the Inspector to ex-Chief Guard Beaumont.
" 29.—Letter from the Inspector to the Warden of the Central Prison.
" 29.—Letter from the Provincial Secretary to ex-Chief Guard Beaumont.
" 30.—Letter from the Warden to the Inspector of Prisons, &c.
April 19.—Rules and Regulations Central Prison.
" 20.—Letter from the Inspector to the Provincial Secretary enclosing letter dated 21st April from the Warden to him.
May 3.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
" 10.—Letter from Assistant-Secretary Eckart to ex-Chief Guard Beaumont.
" 15.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
16.—Letter from Assistant-Secretary Eckart to ex-Chief Guard Beaumont.
June 7.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

1875.

July 3.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
Oct. 5.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary
Index to the investigation into the charges against James Beaumont, late Chief Guard.
Minutes of evidence taken during said investigation

1876,

Letters referred to in foregoing evidence.

Nov 5.—Letter from A McMenery Hamilton to the Warden of the Central Prison
" 7.—Declaration of John Henery late Chief of Police, Hamilton.
" 8.—Declaration of J B Rousseau of Hamilton
April 19 —Letter from the Inspector to the Warden of the Central Prison.

TREASURY DEPARTMENT TORONTO, 30th March 1875

SIR,—I beg to enclose Memo. containing my observations upon your report of the 17th February last, relating to the inquiry held by you under my instructions of 4th Idem, relating to certain alleged antagonisms between certain officials in the Central Prison. A copy of my Memo will be communicated by you to the Warden, and by him read to the guards and other officials of the prison

I am,
Your obedient servant,
ADAM CROOKS,
Treasurer

J W Langmuir Esquire,
Inspector of Asylums, &c. Toronto.

MEMORANDUM on the report of Mr Inspector Langmuir dated 17th February last, relating to the Central Prison.

The undersigned has considered the report and the evidence taken under the inquiry directed by the instructions of the undersigned dated the 4th February last, and

Firstly—He approves of the discipline of the prison being strictly maintained and that the steward and cook must comply with such regulations as may be in force with respect to them, as well as the other officers and guards in the prison.

Secondly—That it is desirable that the suggestion of the Inspector for separate duties of store-keeper and steward be adopted in future, and that in by laws such distinction be adopted.

Thirdly—Deputy Chief Guard Stedman is liable to censure for the expressions which were undoubtedly used by him in regard to Roman Catholic officials and any indication in the future of such feelings being harboured by him will involve his dismissal.

Fourthly—It is to be regretted that the evidence shows that liquors have been introduced on several occasions into the prison and that the officers whose duty it was to have reported the circumstances to the Warden omitted to do so It is equally to be regretted that Chief Guard Beaumont and other guards have been in the habit of frequenting public houses or taverns in the neighbourhood of the prison The regulation with respect to the use of intoxicating liquors must be strictly enforced and the Warden Officers and Guards will be each held responsible for the observance of it, inasmuch as the discipline of the prison depends entirely upon the strict observance of sobriety on the part of all the officials

Fifthly—The evidence shows beyond reasonable doubt that Guard Boland violated on two occasions, at least, this essential rule the Inspector would have been justified in his immediate dismissal after the inquiry I must direct that this should be done forthwith, and with the usual fines.

Lastly—Any wilful disobedience of the rules or neglect of duty will be visited in the like manner when any such case is made to appear

ADAM CROOKS,
Treasurer

TREASURY DEPARTMENT
Toronto, 30th March, 1875

Office of the Inspector of Asylums, Prisons &c. Ontario
Toronto, February 17th, 1875.

Sir,—I have the honour to report for the information of His Honour the Lieutenant-Governor that in obedience with instructions contained in your letter of the 4th instant, I held an investigation into the causes of antagonism that exists between certain officials of the Central Prison of Ontario, and the effect of such antagonism upon the discipline and management of the prison and I herewith transmit the evidence taken under oath in connection therewith.

It appears that the want of harmony is confined to five officials of the prison viz Daniel McCarthy Steward and Store-keeper and Michael English Cook and Baker, on the one hand and the Warden, Chief Guard James Beaumont, and the Deputy Chief Richard Stedman on the other

The causes of disagreement, as stated by the steward and cook are —

1st. The too rigid enforcement of prison rules and discipline by the officers named, amounting to persecution against the steward and cook, and a disposition to force them out of the prison service also to the constant reporting by Beaumont and Stedman of alleged offences, and breach of discipline which the steward and cook think are not worthy of notice, or all too frivolous to require reporting.

2nd That the Steward should be required to conform to prison discipline, as a guard, and that he is deprived of privileges that he should have.

3rd To bad feeling and enmity against the Catholic officers and guards, evinced by the conduct and statements of Deputy Chief Stedman

On the other hand it is alleged in the evidence of the Warden, and the Chief and Deputy Chief Guards, that the steward and cook constantly ignore important prison rules, and disobey the Warden's orders thereby injuring the discipline of the prison both in relation to the officials, the prisoners and the prison management. They further allege that although the cook and steward have time and again been reported for such offences against discipline and the rules of the prison, they persistently continue in such courses.

Such being the causes of the antagonism existing between the officials named, I propose to deal with them in the order in which they are placed.

1st. The evidence proves that the discipline of the prison, in relation to the duties and conduct of officials is generally *strict* but for a new prison undergoing organization I do not think that it has been or is unnecessarily or even unduly *rigid* the opposite course I am convinced while it might have obviated some unpleasantness, would have been most disastrous to the best interests of the prison. This rigid but wholesome discipline, as far as I can discover has been applied to all the prison officials alike, with this result viz —that the guards some of whom chafed at first under it, have accepted the position, and now without exception perform the duties required of them, not only willingly and cheerfully but with an intelligent appreciation of the necessity of strict discipline. The steward and cook, on the other hand it would appear have kept up a continual protest, sometimes active and sometimes passive, against certain rules and orders and not unfrequently they have ignored the one and disobeyed the other Some of the offences and breaches with which they have been charged are trifling, and others flagrant, but their course generally has been one of antagonism to discipline. For instance, an order is made, prohibiting smoking before or with prisoners, while on duty the order is disobeyed, openly and defiantly it is ordered that prisoners while at work must not be left alone but this rule is persistently disobeyed by the cook, and frequently by the steward that all officers and guards must attend evening count, and remain until all the prisoners are accounted for is completely ignored, both by the steward and cook, the order that they must be present along with other officers and guards when the orders for the day are read, they persistently refuse to obey that they must not use familiarity with prisoners is so much abused, that when prisoners are removed from the kitchen to other gangs, they are found unmanageable that all officials are to be in the prison at certain hours is frequently violated

These, and other breaches on the part of the steward and cook, have been so frequently reported, that the officers charged with that duty now leave the offences unreported.

I have examined the orders referred to, and the circumstances that seemed to call for their promulgation, and cannot see in them, or the means taken to carry them out, any evidence of a desire on the part of the Warden or his subordinates to domineer over the steward and cook, or to annoy them or even to put them to unnecessary inconvenience. The fact appears to be that both the steward and the cook are imbued with the idea that strict discipline means tyranny, and that the officers charged with the duty of enforcing it are their enemies.

The guards of the prison being composed of soldiers, accept the position, the steward and cook being civilians protest against it.

2nd. With regard to the complaint of the steward, that he has been deprived of privileges, and also that he is required to conform to certain rules which he believes should only apply to prison guards, the evidence shows that Mr. McCarthy only comes under the rules referred to in his capacity of steward, having prisoners in his charge. In the performance of his duties as storekeeper, he has been to all intents his own master. It is very clear that if prisoners are placed under the charge of the steward or cook or any officer of the prison, they must be held responsible for them; as prison guards they must account for such prisoners every evening, and see that they observe the rules and regulations of the prison. In these respects but in no other, have the steward and cook been looked upon as prison guards.

It is quite possible that if By-laws had been framed at the opening of the prison regulating and defining the duties of every officer and employee, many of these troubles might have been obviated, but until observation and experience revealed the requirements of the prison in these respects, it was not considered desirable to frame By-laws that might have to be amended when after such observation they were found defective and unworkable. Sufficient experience, however, has now been obtained of the working of the prison to enable such By-laws to be enacted as will clearly define the duties of all officials and leave no doubt as to the privileges they are possessed of, or the nature of the duties required of them.

3rd. The evidence in support of the statement that Deputy Chief Guard Stedman harbours bad feeling and enmity against the Roman Catholic officers and guards, is confined to two witnesses, viz.: Chief Guard Beaumont and Guard Gifford. The statement made by Stedman to Beaumont, and which the former admits to be correct, is, I think, so explained by Stedman upon oath as to show that at least no animus or ill-feeling existed in his mind on that occasion against the Roman Catholic employees of the Prison.

Guard Gifford's statement that Stedman had invited him to join with him and one or two others, in order to get the Catholic employees out of the Prison is pronounced false by Stedman; but as it is in evidence that Gifford told others of the conversation a short time after it took place, I am inclined to think that such an approach was made by Stedman to Gifford. For the particulars I refer you to the evidence of both the parties; no evidence was given to prove that this feeling extended beyond the limits referred to, and it would appear that the Warden warned the chief officers to be very guarded in this respect.

These, therefore, are the sources of the antagonism that exists between the officers named, and the results of such antagonism upon the management and discipline of the prison. In addition to the want of harmony between certain officers of the prison it also came out in evidence and, in my opinion, was clearly proven that liquor had been introduced into the guard room and guards' dormitory and there drank by certain employees of the prison. This seems to have been brought to the notice of the Warden only on one occasion, although it is evident that it was of frequent occurrence; but on the occasion referred to a very stringent order was read to the employees of the prison, warning them that such an offence would meet with instant dismissal. The following rule was also promulgated, viz.:—

"Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating liquors in or about the prison. Intoxication will insure instant dismissal."

Notwithstanding the order and rule referred to, it was proven clearly that liquor

has since been brought into the prison, although this offence did not come to the knowledge of the Warden or his two Chief Guards.

It also came out in evidence that Chief Guard Beaumont, on more than one occasion, was present with some of the guards and employees when drinking was going on in the evening, at a tavern close to the Prison.

In order to remedy the results of the antagonism referred to, and the other defects in the prison discipline, I would most respectfully recommend:—

1st. That by-laws be prepared and enacted for the good government of the prison, defining the duties of every officer and employee, and the relations they must sustain to each other.

2nd. That the cook and baker shall be looked upon as a prison guard, and shall be subject to all the rules enacted for the guidance and instruction of guards.

3rd. That only the Warden, the Chief Guard, the Deputy Chief and the ordinary guards, shall board and lodge in the prison.

4th. That the duties of steward and storekeeper shall not be performed by one and the same person. Mr. McCarthy shall [illegible] to the duty of storekeeper and in addition shall assist the bursar in keeping the books, &c. the duties now performed by the steward shall devolve upon the Chief or Deputy Chief Guard, as the Warden shall direct.

5th. That a separate office from the Warden be assigned to the bursar and the storekeeper.

In the way above indicated, I think that the chief sources of antagonism will be remedied, the discipline of the prison rendered more effective, and its means of good government generally improved.

I have the honour to be,
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

Evidence taken at an inquiry held by the undersigned, Inspector of Prisons, &c., for Ontario, into the conduct of certain officials and guards of the Central Prison of Ontario, on the 10th Feb. 1875.

DANIEL MCCARTHY, Steward and Storekeeper of the Central Prison, being sworn, deposed as follows:—I have been informed that whiskey was brought into the guard room by Guard Bollard; my informant was English, the cook of the prison. Of my own knowledge I was not aware that whiskey or intoxicating liquors was introduced or brought into the prison by any officer or guard, and I have never seen it there. I was informed by James O'Brien on Monday, the [illegible] February, in the morning, that he (O'Brien) had been in the habit of drinking liquor on the prison premises, with Chief Guard Beaumont; he said he drank liquor with Beaumont, both in the guard room and the tower. The bailiff, Mr. English, also told me that he has seen liquor on the prison premises, and being drank by officials of the prison. I have drank liquor with Beaumont, at Higgins' tavern, about seven o'clock in the evening, about two months ago. On that occasion, Mr. Stedman was away from duty, and I believe Beaumont was on duty. I have known Guards Bollard and Doherty to drink in Higgins' tavern with Beaumont; that was on the same occasion as I drank with him. The bailiff was also present on that occasion. I do not know but what all the guards had passes to go out; as far as I know, all guards on such occasions came at 8.30 p.m.

English, the bailiff, told me that on the night the Warden came home from his leave of absence, on the 6th November, when he was delivering prisoners from the west, that he (English) said to a guard who was present, that the Captain must be home, for there was his dog on the door step, but on looking, English said he found that it was Guard Bollard lying drunk on the steps. English stated that Bollard was then admitted, it being then about eleven, by the night corridor guard. I have known oyster suppers to take place in the guard room. On one occasion Mr. Stedman and Guards Bollard, Gifford, Doherty and I think Greasy, were at the oyster supper; it was about a month ago; I was not present; I went to bed. I know of nothing more in respect to the introduction of liquor into the prison premises.

On the first Sunday that Roman Catholic service was performed in the chapel, Father Rooney was officiating. It was customary for the Catholics to kneel down at prayers. Father Rooney, observing that the prisoners were standing up, said, "how is this?" Deputy Stedman said, that is the order, sir. The clergyman demanded to see the Warden immediately. He was told by Mr Stedman that the prisoners might kneel down on that occasion. On the Sunday following, that is the one succeeding it, Deputy Stedman kept his hat on while close to the altar sitting; he kept his hat on until after the Gospels were read; he then took it off. I think he observed that we were speaking about it; on the appointment of Somers to a guardship during the Warden's absence. I attended service in the chapel on Sunday; during church, I observed Guard Somers kneeling down, and when church was over, Mr. Beaumont told me that Mr. Stedman came running to him to say, that Somers was a Roman Catholic, and that if the Captain had been here he would not have sworn him in. The bailiff, Mr English, told me that Deputy Stedman called Guard Gifford out of the guard room one Sunday shortly after the prison was opened, to ask him to help him to clear the Papists out of the prison; Guard Gifford said he could not do so, as he was married to a Catholic woman. I have not heard any such expressions or feelings against Catholics mentioned by anyone in the service of the prison but Mr Stedman. Mr Beaumont has told me that such feelings existed in Stedman's mind. I do not think Beaumont has such feelings. I am sure that the Warden has no such feelings, but I thought it strange that Stedman should be allowed to use such language. I think the Warden must have known something about it, because he heard the Warden use the expression that Beaumont and Stedman were to hound the Baker English and myself down like dogs. Respecting the key trouble, I had a key which opened the guard-room door, the kitchen door, and I think all intermediate frame doors. Being in a hurry one evening I opened the guard room door with this key; the next day I found that the Warden had a new lock put on the door. I asked him why the lock was put on, as there seemed to be no use for it as far as preventing prisoners from escaping; the Warden said that there was no fear of those prisoners escaping; but I think that the key and lock was changed only to bother me.

I was aware that there was a regulation that no officer on guard was to be admitted through that door except they rapped, but I did it for dispatch.

The two prisoners who are in charge of myself and the cook require to be constantly under my notice, although their offences are slight, whereas the prisoners in the guard room are in for longer periods, and do not require to be watched, showing that we (that is English and myself) were to be crippled.

The Warden also objected to my taking flour from the north store-room door through the front grounds, into the large north entrance gate, and it was ordered to be taken through the corridor to the bake-house, and after that the order was changed to take it through the kitchen, involving going down one pair of stairs and up another; it was found that that could not be done; it is now taken through the receiving lobby and receiving room, then through the dining hall into the prison yard. I believe this is all to give the baker and me trouble.

During last summer, I think in August, I allowed two friends of mine who had passes, signed by some person, I don't know who, to enter the prison by the store-room door. I did this in ignorance of any regulation against such an act, and I thought as steward that sufficient confidence would be had in me to know that I would not admit any improper person.

But in taking my friends into one of the shops, Lyons, the gate keeper, at the instigation of Stedman I think, came up and ordered my friends out. I at once took them out.

For this I was brought before the Warden and severely reprimanded, and was told that I must not admit any body by that door; an order was also placed in the order book to some such effect.

On another occasion I was reported for admitting strangers through the store-room door in the face of that order; the fact was, two men came to me with a desire to look at the prison kitchen range, and I admitted them, thinking that an exception would be made in such an instance, but I was immediately reported, and Beaumont said, "You are reported again," as if all they wanted to do was to report frequently against me.

I complain that I have no privileges whatever, and that I am hardly dealt with, and although the order had reference, I suppose, to all officers, still Mr. Short was allowed by the Warden to take friends into the prison, the Warden, I am informed, remarking that the order only referred to the Steward and Cook.

D. McCARTHY.
Steward T. S. K.

JOHN ENGLISH, Bailiff of the Central Prison, being sworn, deposed as follows. I remember the night on which the Warden returned from his leave of absence in November. I came down as far as Hamilton with him from Windsor, and stopped off at Hamilton to get more prisoners. I arrived at the prison at 11 30, p.m. Guard Doherty met me at the train and came up to the prison with me. When we came to the steps of the south entrance I saw what I thought to be the Warden's dog, but what turned out to be Guard Bollard lying on the steps, apparently quite helpless from drink. We lifted him up and rung the bell, when the corridor guard answered the bell. He admitted Bollard; he must have seen that he was drunk as he staggered very much. I kept behind him (Bollard) on going up stairs to prevent him from falling. I did not see Deputy Chief Stedman that night at all, and I don't think that Stedman saw Bollard in the condition in which he was. I never heard that the night corridor guard reported the case of Bollard's drunkenness. He should not have been admitted coming after 11 p.m. I came home to the Prison one night about a month ago, and on coming to the door of my room I found the door locked. On getting in I saw guards O'Brien, Bollard and Somers in the room. They were drinking out of a bottle what I took to be whiskey. I could smell it. I think there were other guards present, but I cannot tell. Stedman at the time was in his room. He knew that the persons named were in my room but I am pretty certain that he did not know that they had liquor. I never was present when liquor was drunk at any time that Chief Beaumont or Deputy Chief Stedman had any knowledge that such was the case. I have known Mr Beaumont to drink with guards outside the prison in Higgins's tavern between the hours of 6 30 p m up till 9 30 p.m. I have seen him drink with Bollard, O'Brien, Doherty Lyons and Connske. One night that the Deputy Chief was absent and Mr Beaumont on duty I was asked by the Warden to get Mr Beaumont. I told the guard to go to Higgins's tavern and he would find him. As both the guard and Beaumont came in together I suppose he found him at Higgins tavern. I have known guards to be drunk on the premises quite frequently. I have heard boisterous talking and other evidence of drunkenness. Mr Stedman must have heard also, as he is quite as near as I was. liquor I think, has an effect upon Mr Beaumont. I remarked to him on the night on which I sent the guard for him at the request of the Warden, that he would soon be caught; he (Beaumont) said that liquor had no more effect upon him than a blister on a wooden leg. I never saw any sign of liquor on Mr Stedman; on one occasion I saw Bollard take a bottle to Lyons bed and give him what I thought was liquor as Lyons became noisy as well as others; this only happened about a fortnight ago. Mr Beaumont told me that Stedman had spoken of the appointment of Somers who is a Roman Catholic, as something that should have been prevented; as far as I know no feelings against Catholics have been shown by any one but Stedman, and that is only hearsay.

JOHN ENGLISH,
Bailiff Central Prison.

SAMUEL GRACEY, guard being sworn deposed as follows.—I have seen liquor in the guard-room of the prison. I cannot say who brought it in. The last time I saw liquor there was two weeks ago. Neither Ch of Guard Beaumont or Deputy Stedman were present when liquor was being drunk. I never knew that liquor was taken to the tower by guards on duty. Guard O'Brien was the only guard that I ever saw positively drunk. I have seen others who had liquor in them. I don't drink liquor; don't know the taste of it.

SAMUEL GRACEY
Guard.

WILLIAM DOHERTY, Guard being sworn, deposed as follows.—I came to the Prison on the night of 6th November with the Bailiff. I had been detailed to go down to the station.

We arrived at the prison about 11 p. m. I saw Bollard standing on the south entrance steps; he seemed to be as usual. He did not appear to be drunk. He was standing. He walked up to the guard room all alone. I went with the Bailiff and the prisoners and locked them up. I think it was O'Brien who was acting that night as corridor guard. When we locked up the prisoners, the Bailiff and I went up to the guard-room and I went to bed. When I went into the guard-room Bollard was in bed. I did not see Mr Stedman from the time we came in with the prisoners until I went to bed. I heard no remarks made by the bailiff or by the corridor guard who let us in as to Bollard's condition.

I swear that I never drank liquor in the guard-room. On one occasion I took liquor in the Car Company's office. Mr Haines gave it to me. I was unwell. That must have been two or three months ago. I have been in Higgins' tavern with Mr Beaumont. I drank with him on two occasions, once in Higgins' and another time at the Marlborough House. We were both off duty. I was at an oyster supper at Higgins' about a month ago. Beaumont was present.

WM DOHERTY,
Prison Guard.

MICHAEL ENGLISH, Cook and Baker, being sworn, deposed as follows. "I informed the Steward, Mr McCarthy, that I had seen whiskey or liquor being drunk by officials of the prison on the prison premises on or about Christmas. I saw Guard Bollard, Somers, and Guard O'Brien drinking in the steward's room at 6.30 p.m. The steward and bailiff were not there at the commencement, but the bailiff came in about 9 p.m. I went into the room in order to sleep in the steward's bed that night. I was in the room when the three guards named came into the room. Bollard went out for the whiskey about 8 p.m., and came into the room with one bottle first; after that, another bottle was brought in by Bollard from the tavern. Doherty came into the room while the drinking was going on and also drank some. I drank some also. The bailiff drank none. The door was locked. I saw Mr Stedman before the door was locked; he did not come into the room. There was some noisy talking. I have on two occasions seen liquor being drunk in the guard's bed-room; it may have been two months ago. I don't know who brought in the whiskey on those occasions; it was brought from the cupboard where the guard keep their clothes. Lyons, Doherty and O'Brien drank on three occasions. I did once. I don't know who brought the liquor into the room. It was drunk when we were going to bed. I have drank on three occasions with Chief Guard Beaumont in Higgins' tavern and Chambers Tavern. On the two occasions on which I drank with him in Higgins' tavern he (Beaumont) was on duty as Mr Stedman was away from the prison. After having drank with him, Beaumont returned to the prison; it would be about half past eight. I never drank with any other officer of the prison. I think it was in the fall that I last drank with Mr Beaumont at the tavern. I never saw McCarthy drink liquor on the prison premises or off. I have six prisoners under me in the kitchen and two in the bake-house. The Warden told me that these prisoners were under my control. I was first reported for smoking, and on being brought before the Warden was reprimanded. That was about six weeks or two months after the prison was opened. I was in the front lower store. Stedman saw me. Since that time I was reported for smoking on a Sunday morning, in the prison yard on my way from the water-closet, and one morning last week I was reported for smoking in the Steward's room; these are the only times that I have been reported for smoking, but I have often smoked on other times; the last time the Steward and Bailiff were smoking also, but I believe they were not reported. I have also been reported for being asleep on duty. I was sitting in the kitchen with my newspaper in my hand. I saw Mr Stedman before he was half way across the kitchen. I have also had prisoners taken away from me when I wanted them very much; they were kept an hour at dinner when a quarter of an hour would have done; that was when the Warden was away on leave of absence. I was obstructed in taking the flour out from the store in the quickest way; on one occasion one of the prisoners was caught smoking in the bake-house, and he was put 36 hours in the dark cell although I wanted him very much. I was not aware at first that I was not entitled to smoke. I have asked the Warden to get off on Sunday from 4 p.m. to 11 p.m. I have been granted that permission but sometimes it has been refused; on one night about three months ago, it was then the 6th of November I came to the prison at 11 p.m., I found the door locked; I tapped at the north corridor window; I saw Guard O'Brien, and thought he would have gone to the Deputy to ask to allow me to be admitted; he did not come to the window again for about an hour, but I did not hear what he said; I then came around to the south entrance, and tapped at the window of the receiving room; no one came; I then walked up and down until 3 a.m., then I rang the bell of the large gate when the Watchman Hardy let me in. I should have been in the prison at 9.30 p.m., on that occasion, but I was detained with some business; about two weeks ago, I came about 9.27 p.m., and could not get in, and went and slept at a house on Queen Street; I have not heard of any guard being let in after 9.30 p.m., unless he had a pass, unless I heard that Bollard on one occasion did get in. On the Sunday of the 28th of October I obtained leave of absence to leave for the whole day, that is I left on Saturday night and returned on Monday morning; the Steward looked after the cooking; I did not think that it was necessary to obtain leave from the Warden; I have since learned that it was necessary to obtain the Warden's leave of absence. I consider the rule one-sided. Rule No. 4 is not carried out; I cannot give an instance, I have no means of knowing; I have seen work done in the shoe-shop by prisoners for Mr Stedman and Mr Beaumont, and if I got anything I would at once be reported. I have not known that anything has been done for any officer or guard since the order issued on November 18th, that only Government work was to be done; I think both Mr Beaumont and Mr Stedman domineered over me; I knew my business; they never found fault with my cooking or baking, but they interfered with my work. I have never heard the Warden or Mr Stedman or Mr Beaumont speak against Catholic employ, but it was the constant picking that made me believe they wanted to get rid of me.

MICHAEL ENGLISH,
Cook and Baker

RICHARD BOLLARD, Guard, being sworn, deposed as follows.—I have never brought whiskey into the guard-room of the prison. I was present one night in the Steward's bed-room when the Steward was absent, along with English, the cook, and Guards Somers and O'Brien; the Bailiff did not come in until the drinking was over; I think Doherty drank liquor one night with O'Brien. I remember the night on which the Warden returned from his leave of absence. I did not get to the door that night at 9.30 p.m., but I knew the Bailiff would be up with the prisoners at about 11 p.m.; I waited till he came, when I was let in; I went upstairs myself; when the Bailiff and Doherty came up to the door I heard the Bailiff say "the Warden must be home, because there was his dog," I suppose meaning me. I was sitting down until I heard them coming, when I went out from the steps and stood up. I have drank with Mr Beaumont in Higgins' tavern in the evening after the prison had closed; the last time was about a week ago.

RICHARD BOLLARD,
Guard.

WILLIAM GIFFORD, Guard, being sworn, deposed as follows.—I am a married guard; on one day of the week I sleep in the guard-room two nights in the week, and the week succeeding, three nights in the week. I have never drank liquor on the prison premises, nor have I seen any drunk. About three or four months ago I was in the Bailiff's bedroom, when Mr Stedman came and knocked at the door and told me he wished to see me down in the Warden's Office. I came down with him; he said he had asked me down as he wanted me and one or two more to join in with him in trying to get the Catholics out of this. I at once said he had got the wrong man this time, my wife is a Catholic. I stood and looked at him for a few minutes, and turned and walked away to the guard-room; he followed me, but he has never spoken to me more on the subject. I told this about a month afterwards to Guard Doherty, also to the Bailiff and in the guard-room, when several were present. I have never heard any such expressions used by any other officer of the prison. I have not seen anything that would lead me to believe that Catholics were to be got rid of, but the statement made to myself by Stedman. I know of no cases of favouritism being shown to any guard or employee of the prison.

WILLIAM GIFFORD,
Guard.

James Beaumont, Chief Guard, being sworn, deposed as follows:—I came into the prison in the morning at 6.30 a.m., since the Canada Car Works have been shut down; while they were in operation, at 5.30. My house is on Wellington Avenue. I parade guards at 5.45 a.m., when the Canada Car Works were in operation, but now at 6.45 a.m., and dispatch the guards to their respective duties. I supervise the issue of breakfast to all the prisoners throughout the prison; see that it is properly and promptly served. I then post the corridor patrols, and then the guards go to breakfast, and I go with them. The prisoners are then marched out with the night buckets, and then marched back and placed in column, when the gangs are distributed for the work of the day, whether for shop or domestic duty. When the guards report the gangs complete and correct, I then give each gang the order to march off. I then visit the various gangs, and see that they are all properly at work. I then come to the office and go on with my writing; see that the men for discharge are got ready; when they are marched in to be seen by the Warden. I then receive the instructions of the day from the Warden, and go and see that they are carried out. The time up to dinner, is taken up with supervising the affairs of the prison generally. At dinner time, the gangs are mustered, and numbers reported to me, which I check, which I report to the Warden; after that prisoners' dinner, which takes up from about 12.5 to 12.45 p.m.; half of that time, one-half the guards are on duty, while the other half are at dinner. The gangs are then marched off at 12.45 to their respective shops, or works, each guard numbering his gang and reporting to me if correct, or otherwise, before moving off. In the afternoon I visit the shops. Am present at visits to prisoners. Show visitors round. Do office work and general work up to supper time, when the prisoners are marched in. I superintend the issue of supper. See that all the prisoners are all marched up to their respective galleries. See that the the guards are all in their proper places; give the signal for cell doors to close; parade guards and take the count; report to Warden and dismiss the guards; post the night patrol, and then go to my supper; if Mr Stedman has leave of absence to stay out at night, I stay on the premises. If I see any dereliction of duty on the part of any guard or employee of the prison, or any infraction of the rules, I use my discretion as to whether it is sufficiently serious to bring under the Warden's notice, or whether it should at once be settled; but if I settle the matter I caution the parties that a repetition of the offence will be reported to the Warden; the number of cases that I settle are about as many as the number of cases that I report; the Deputy-Chief, Mr Stedman, reports to me, and if his reports are of such a nature as I can settle, the report is not carried to the Warden, unless the Deputy desires it. I have frequently had occasion to report the conduct of the Steward to the Warden. I think that the first report I made against him was that he would not attend evening parade to hear the Warden's orders read; the orders are read every night; at first the Steward attended at evening parade, but about six weeks after the opening he neglected to attend. An order was then placed upon the order book requiring the attendance of all guards and every prison officer on the 29th June. The Steward did not hear this, when an order issued on the 7th July only requiring the attendance of the Steward at the reading of orders when an order was to be read affecting that official's duties; after that order was made on the 7th July another order was made in respect to the duty of the Steward. I notified him of it but he did not attend. I again reported that to the Warden. The Steward has not attended at the reading of orders since before the 29th June, although frequently orders have been made in respect to his duties. Since that, I have taken the book to him and read the order affecting him; although an order was made rendering the Steward liable for the care of the prisoners in the kitchen and bake-house gang. I have noticed very frequently that the Steward ignores all rules in the manner of dealing with and speaking to prisoners; he generally calls them by their Christian names—"my boys"—or Mr. them; and instead of giving a direct order he asks if they will be good enough to do so and so. The Cook (English) follows the same course, which does away with all discipline, and is most observable in the conduct of prisoners removed from the kitchen and bake-house to other gangs. Both Steward and Cook smoke before prisoners. I have reported both of them for this, and the Deputy was reported to me for the same offence.

The Steward has stated to me that he would not obey the Warden's orders. Only last week I told him that he must give up at night, the key of the outside door of the

storehouse he dashed it down on the floor and used the language stated in my evidence before the Warden, and which I now swear is true and correct.

(Statement referred to.)

JAMES BEAUMONT Chief Guard Central Prison states as follows :—I am the Chief Guard Central Prison ; my duty is to take over all of the outer doors Central Building at "evening count," in accordance to orders. On the evening of the 1st of February instant, finding a key deficient which should have been handed over to me by the steward I proceeded to the store, and asked the steward for it. The steward became very violent,—jumped up from his seat, and dashed the key upon the floor saying "There is the G—d d—d key it has been an eye-sore to Prince yourself and Mr Stedman ever since I have been here, and if I am to be reported, I'll make statements true or false, and swear to them and get others to swear to them which will make it hot for you and other d——d Englishmen in the Institution for neither Prince, you nor Stedman shall make me subject to your d——d army discipline. The steward cursed every one in the prison and snapping his fingers in my face addressed me, saying, "Do you call yourself a man a thing, or an ape?" Finding it was impossible to reason with him, I left the store This took place in presence a prisoner and the cook the latter stood by laughing.

JAMES BEAUMONT,
Chief Guard.

A short time before the last occurrence happened, the guards complained of the bad quality of the coffee. I sent to the kitchen for more tea, when I received a message that we must make up our minds to have either all tea or all coffee. I then went to the cook and asked him if he had sent that message, he acknowledged in a very sulky manner that he did When the Steward came into the prison that morning about 10 a. m I asked him where he had been he said he had been in the city in connection with the stores. I called the cook up before the Steward and related the circumstance about the tea, and impressed upon them that I would not allow such a message to be sent to me that it was the Warden's orders that both tea and coffee were to be served and that it must be properly cooked The Steward said the cook was wrong, and promised that a repetition of it should not again take place. Except this I was not aware of any cause for their invocation and anger shown by the Steward on the occasion of my asking this key He had sent in one key at the proper time, and as I had occasion to go into the store-room to order some tallow I merely reminded him of the other when he broke out as stated I had not spoken of the Guard Mansell letting the Steward in at the time I went to get the tallow and to remind him about the other key But when he spoke of Mansell having reported him to me, I merely reminded him that I was acting as a medium between the prison officers and the Warden.

I had previously reported to the Inspector that the Steward had let persons into the prison through the store room door contrary to the regulations. Before reporting him that he was violating the rules and that I would have to report him, he said, "report it, and do your best, I don't care.

From all I can see the steward and the cook are getting more defiant of the Prison rules. I have over and over again reasoned with them, thinking they would come under the discipline the same as the other guards. They both said that they would not be classed as guards.

During the Warden's leave of absence, on the first Sunday that Somers was on duty Mr Stedman came up to me and said "Why Somers is a Catholic" I said "what matter, if he does his duty" I said that very sharply Mr Stedman turned round and walked away The Warden before that, had frequently warned us not to introduce or discuss religious matters, as he had much trouble with that in the Police Force. That is the only occasion that the matter of religion was alluded to between us and that is the only time I heard a religious matter referred to in the prison by an officer or guard I never, on any occasion whatever, saw liquor drank on any portion of the prison premises. I was of opinion that O'Brien brought liquor in secreted upon his person Meehan was also suspected of doing the same thing I have called in on my road home at Higgin's tavern on several occasions, perhaps three or four times. On these occasions, I have seen some of the guards, and have drunk with some of them in Higgins' private room never at the bar at the tavern. I never visited Higgins' tavern while I was on duty. I believe I remember the night that the Warden rang the bell for something, and that I was sent for. I believe that either Eames or Elliott the guards, came and found me waiting in the door of the waiting room. I was not at Higgins' tavern that night. I have seen the bailiff at Higgins' tavern, we have had oysters together there. I think one or two guards were present. Twice, I think I have been to Higgins' with my uniform on. No prison officer ever cautioned me upon this subject. I did not think I was doing wrong in associating with the guards, who held non-commission rank, the same as myself. I have never known that Bollard was drunk. I thought he was a very sober man. The guards perform their duties cheerfully and faithfully. I never have any trouble with them. The steward and the cook are the only persons I have had any trouble with, and the principal trouble with them has been the non-conforming with the rules of the Prison.

Frequently I go down to the kitchen, and find the prisoners alone. About four mornings ago I went down five distinct times, and found the cook away. I then went into the store and found him smoking and reading. I spoke to him, asking him if he considered it right to sit in the store-room, when he had so many prisoners in the kitchen; he said "yes, if it suits me." When I expressed my surprise he repeated his answer.

JAMES BEAUMONT,
Chief Guard.

RICHARD STEDMAN Deputy Chief Guard being sworn deposed as follows.—I have never seen liquor drunk upon the prison premises. I have seen guards drunk and have reported them. I have for this offence reported guards Meehan and O'Brien. These are the only guards or employees of the Prison that I have seen intoxicated on duty. O'Brien was discovered on Sunday the 31st January quite drunk. I sent him home and reported him; on the same morning, I saw a bottle, of what I supposed to be liquor in the steward's room. I came down to inform the Warden and when I went back I found that the bottle had been taken away. I knew that O'Brien, Bollard and Somers, were locked in the steward's room one night, as they were noisy and thought that they were drinking, but as the door was locked I could not go in. Guard Gracey was only in for a short time, when he came out, I tried to find out what was going on but Gracey would not say. This took place a few nights before O'Brien was dismissed. I reported to the Chief Guard that I suspected that drinking was going on. I have reported the following guards for various offences and breaches of the regulations: Guards Doherty, Gracey, Meehan, O'Brien, Coats, and Axworthy. Coats and Axworthy were dismissed upon my evidence. I have also reported the steward and cook on three or four occasions; the offences for which they were reported were repeated; the cook was reported on one occasion for being asleep, on another for smoking and reading a paper while in charge of prisoners. I have very frequently reported the cook for smoking while on duty; so much, that I thought there was no use of reporting him any more; the cook is altogether too friendly with the prisoners; he associates with them; whenever I go through the kitchen he is talking, sometimes joking with them, frequently sitting down with them. I have reported the steward for smoking on the prison premises; twice in the kitchen, when prisoners were present; twice I reported him for coming in late. I have stopped reporting offences or breaches of rules on the part of the steward and cook. The guards are most obedient—do their work cheerfully. I never had any conversation with Guard Gifford about the religions of the guards or officers of the prison, and never asked Gifford or any other guard, or any officer of the prison to join me in trying to get Catholics out of the prison service. I am not crazy enough to do such a thing. I have had private conversations with Gifford, but never on the prison premises, about religion, but I decline to say what it was; it was a private conversation, but it was not against Roman Catholics. I never said anything to Gifford that would lead him to believe that I wished to get rid of Catholics. I have not reported Gifford or have had any misunderstanding with him. For the first four or five months I led the life of a dog in the prison, simply because I did what I conceived to be my duty; but now that they all know that I will do it I have no trouble. The guards can't do too much for me. I remember the first morning that Guard Somers attended the Roman Catholic service; when it was over I said to Mr. Beaumont that Somers is a Catholic, Mr. Beaumont said, I thought rather sharply, "what of that if he does his duty." I thought he was rather sharp, and walked away; I was going to say to him the Roman Catholics cannot say anything now as I was the one that recommended him to the Warden as being a capital man. At first he served as a guard for the Car Company. I had heard from conversation in the guard room that there was some feeling against me by the bailiff and the cook; I learned from the conversation that it was supposed I was against them because they were Roman Catholics. The feeling at that time was general against me because they said I was too strict, that I carried out the Warden's cast-iron orders. That is now completely changed. I think the way the trouble in respect to Roman Catholics arose, as far as I was concerned was, because I first reported the cook for some offence; I did not know that he was a Roman Catholic then; then I had to report the steward, then I had to report Meehan; as they all happened to be Roman Catholics, I think the feeling first came out in that way; I was convinced that it was the case because the next day after I reported Meehan I heard the steward say in the guard room "the Deputy is going for the Catholics;" that made no difference to me; I had no ill feeling against Roman Catholics, the best friends I have in Toronto are Roman Catholics. At the first Roman Catholic service that was held in the prison chapel I was on duty. The Warden told me that prisoners were not to kneel. I was sent to Albany Penitentiary to observe the discipline of that prison prior to the opening of the Central Prison; prisoners were not allowed to kneel, neither at the Roman Catholic or Protestant service. I reported that fact to the Warden. The priest on the occasion of the first Roman Catholic service in the Central Prison said that we can't go through our service unless we kneel down. I tried to explain the matter but as he would not hear of it, I told the priest that the prisoners might kneel and that I would speak to the Warden; having done so the Warden said that kneeling might be continued. When I came into the prison chapel on that morning with the prisoners I had on my officer's cap. I removed it as soon as I gave the knock for the prisoners to sit down. I did not allow the prisoners to walk about in the chapel before the priest came; of course, as soon as the priest came I took my seat, and never interfered after the first Sunday; I have heard the bailiff offer to pay all expenses if Guards Greevy and Doherty would go with him to a house of ill-fame. I never saw Mr Beaumont drink with guards in a tavern. The orders made by the Warden affecting the steward's department are not carried out; I have heard the steward say when he was in his flying temper that he would not obey such damned orders. I remember the occasion on which the cook came up to the prison late, and was not admitted; at 11 p.m. I heard knocking and kicking on the outside of the building. I was going to get up, when the guard on duty came to tell me that the cook was outside wanting to get in. I told him he must not admit him; the noise continued until it woke me again and the noise of kicking and knocking continued until he was let in in the morning; he would have been admitted at 5 p.m. if he presented himself; the rule in respect to locking up and non-admission is strictly carried out. Guard Powell reported the cook that morning.

RICHD. STEDMAN,
Deputy Chief Guard.

MARTIN SOMERS, guard, being sworn, deposed as follows.—I was present in the steward's room one night, I think about the 27th January. Guards Bollard and O'Brien were present; we drank whiskey in the room. Bollard brought the whiskey in. I don't know from where. Bollard brought a second bottle. I don't know where he obtained it. The bailiff came in about nine, and we left the room and went to bed about 10 p.m. I am a Roman Catholic; I have seen no bad feeling against Roman Catholics in the prison service.

M. SOMERS,
Guard.

WILLIAM STRATTON PRINCE, being sworn, deposed as follows.—At the time a change was made, Guard O'Brien, I think, in the month of September, it came to my knowledge, by the report of one of the guards, that liquor had been introduced into the guard's room by

Guard O'Brien. I reported the matter to the Inspector in conjunction with other charges, and dismissed O'Brien. I also produce a copy of my order published in the prison order book, and read to the guards and employees of the prison on the 13th of August, the day of the reinstatement of Guard O'Brien.

Order referred to.

Prison Order, June 4th.—II. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal, and will never be overlooked.

CENTRAL PRISON,
August 13th, 1874.

Order No. 1.—With reference to order No. 2 of the 1st August, disposing of a charge proved against Guard James O'Brien:—The Warden having taken into consideration that the offence therein specified has been the first of the kind that has been reported to him in connection with the officers of the Central Prison since its organization, he cancels that part of the order dismissing Guard O'Brien from the service of the Central Prison, but with the distinct understanding that upon a repetition of the offence of intoxication, dereliction of duty, or that of bringing the character of the Institution into disrepute by *frequenting and drinking at taverns*, will result in his dismissal, as it is determined that the strictest discipline shall be enforced in the Institution, and that those officers, who are wanting in habits of discipline and sobriety shall not be retained upon its staff.

I think that the promulgation of the order referred to had the desired effect for the time being, as I heard of no cases of drunkenness on the prison premises, until I found Guard Meehan asleep when on duty as corridor night guard, and evidently under the influence of liquor. I had previously noticed that Meehan had been a hard drinker, and refused to accept him on the prison staff owing to that failing, advanced years, and nervous temperament. Meehan was dismissed. The charge against Meehan was published in the order book on the 21st November, and read to the prison officers and guards on that day, with the result thereof, viz., dismissal. The third case of drunkenness reported was that of Guard O'Brien in the guard room and corridors. I had strong suspicions that O'Brien brought in liquor and made himself drunk on the premises. O'Brien was dismissed, and the charge and result published in prison orders, of the 2nd February. These are the only three cases of drunkenness reported on the premises. I have had several conversations with the Deputy Chief, which led me to believe that on two occasions, guards were locked in the steward's room, drinking, but evidence that such was the case, could not be produced. I was aware that Guard Ballard was physically unfit for the performance of guard's duty, and so expressed myself, but I never thought until this investigation that he was addicted to drinking, nor had he ever been so reported; on the contrary, that he was a sober man. It was reported to me on the 29th January, that great noise was made by the guards after lights were out, and that they had been in the habit of going into the steward's dormitory. I suspected that drinking was going on, and published an order which was read to the guards, &c., on the 1st February, enjoining strict silence, and that the officers confine themselves to the rooms set apart for them after "lights out," or 9.30 p.m. I have never seen the slightest evidence of intoxication on Chief Guard Beaumont, and until a short time before this investigation, I had never heard that he was in the habit of visiting taverns, either by himself or with guards. I cautioned Mr. Beaumont against such a course. About September, after the re-instatement of Guard O'Brien, I suspected that then, a degree of jealousy existed, that a degree of favouritism was shown to O'Brien, because he was a Roman Catholic. Deputy Chief Guard happened to report, among the first reports, English, the cook, Meehan and O'Brien, guards, and Mr. McCarthy, steward; all these happened to be Roman Catholics, and the charges were proven against all, and the offences against prison discipline. Orders repealed. From the remarks of the steward, who complained that they were so closely watched by the Deputy, I gathered that he (the steward), and the cook, thought that they were being persecuted because they were Catholics. I explained to them, that no feeling of the sort could possibly exist, as they well know that no such thing would be tolerated by me, as had also been the men in the police force—that I did not care what religion they belonged to, so long as they did their duty. I have frequently enjoined upon the Chief Guard, and the Deputy, to guard against such feelings; and a short time after the organization of the prison, I published an order to that effect (Order No. 4, of June 5th). Nothing in connection with that feeling has been reported to me. When the steward first came to the prison, he complied with the prison orders; shortly afterwards he refused to attend the evening count, which I considered important, as he had prisoners in his charge which he had to account for. Upon his neglecting to attend, an order was made and read to the steward requiring the attendance of every prison officer at the evening count, as it appeared to me to be most important for the safe keeping of the prisoners, that "the officers attend the evening count, and do not absent themselves until the count was ascertained to be correct." Up to this moment the steward has ignored this order. He also ignores the order requiring the attendance of officers and guards at the reading of the General Orders, in accordance with Order No. 3, of the 7th July. I originally required that the steward should attend the reading of all orders, believing that it is essential that every officer and guard should know what is required of them in relation to the prison service and in their relation to each other; but finding that he neglected or refused to obey this general order, I amended order in his case, only requiring his attendance when the orders touched upon his own duties. He still ignores the order—he won't attend, and I am obliged to send the Chief Guard to read each order to him. I produce copies of orders from the Central Prison Order-book, in respect to the delivering up of all keys of the outer entrance to the centre building, and not admitting persons to the prison after "lights out." These orders the steward has ignored. He has retained the key of the store-room door, and let himself into prison after hours; he has also let others in. He has also disobeyed order of June 4th, 1874, and June 24th, requiring that visitors shall enter and depart from the south entrance from the central building, and prescribing that no one must be admitted to the prison until a pass, signed by the Warden and countersigned by the Chief Guard or Deputy. The steward has generally ignored the discipline of the prison, and has stated that he did not consider that he was called upon to obey the order published, the same as a guard. The cook has taken the same course, and sets my orders and the orders of the officers under me at defiance. I have heard the evidence of Chief Guard Beaumont and Deputy Stedman respecting the breaches of discipline and disobedience of orders on the part of the steward and cook, and from investigations made, and of my own knowledge in many instances, I state that they are strictly correct. I have frequently reasoned with both of them, but without any good effect.

WILLIAM STRATTON PRINCE,
Warden Central Prison.

Central Prison Order, June 4th, 1873.—No. 11. All duties are to be conducted in a quiet and determined manner, and a *boisterous tone of voice in talking, whistling or singing* in the guard room and other parts of the Prison, are strictly prohibited.

12. Discussions or disputes of any nature, as to politics or anything else, within the prison premises are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

CENTRAL PRISON, February 1st.

Order No. 1.—In consequence of the improper practice that has prevailed of the officers creating a disturbance in the guard-room, by talking, arguing, &c., after "lights out," —a practice which is contrary to all prison rule and discipline, and which is peremptorily forbidden in other Institutions of the same kind, the Deputy Chief Guard who, in the absence of the Chief Guard, is held responsible for the quietude and regularity of the prison at night time, will report to the Warden any deviation from the following order.

2. It is ordered that silence shall be observed in the guard-room and officers apartments, after "lights out," and that the officers confine themselves to the rooms set apart for them.

Prison Order No. 4, 5th June, 1874.—16. Guards are expected to be courteous and respectful towards each other, never using improper language, and always cultivating a proper and respectful deportment, and they are to abstain from the expression of any political or *religious opinions* calculated to give offence.

June 4th. Order

15 Lights are to be out in the guard-room, at 9.30 p.m., at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for one evening

CENTRAL PRISON, July 8th, 1874.

Order No. 1.—The Deputy Chief Guard is to have in his possession all keys belonging to the entrance doors of the centre building at night time; these keys are to be taken charge of by the Deputy at 9.30 p.m., after personally seeing that the doors are locked and he will enter of a morning in the book designated "the Chief and Deputy Chief Guards' Note Book," a certificate as follows:—

9.30 p.m. 1874.

I certify that all officers were present and correct, and lights out at 9.30 p.m. (or otherwise, as the case may be.)

DEPUTY CHIEF GUARD.

CENTRAL PRISON, July 12th, 1874.

Order No. 1.—The attention of the officer is called to Paragraph 15 Rules and Regulations, which is as follows:—"Lights are to be out," &c.

* * * * *

The Deputy Chief Guard will see that this Order is not deviated from and that no admittance into the prison is permitted after the prescribed hour

CENTRAL PRISON, Sept 26th, 1873.

Order No. 1.—The Chief Guard will deliver over to the charge of the Deputy Chief Guard every evening before he leaves the prison, the key of the north entrance gate.

CENTRAL PRISON, February 1st, 1874.

Order No. 2.—All keys of the outer doors of the central building are to be delivered up to the Chief Guard at the evening counts.

CENTRAL PRISON, June 4th, 1873.

Order No. 4.—(18) Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison will conduct themselves in a quiet and orderly manner; loud talking, laughing and personal allusions to prisoners, by pointing or otherwise, are strictly prohibited.

CENTRAL PRISON, June 24th, 1873.

Order No. 1.—No person shall be admitted to the Central Prison other than employees and officials connected with the prison, without they produce a pass according to the prescribed form, which is signed by the Warden and must be countersigned by the Chief Guard or deputy

CENTRAL PRISON, August 31st.

Order No. 1.—It having come to the knowledge of the Warden that persons have been improperly admitted into the Central Prison by prison employees, it is ordered as follows:—

1st. No person will be admitted into the prison after 6, p.m. and not after 4, p.m. on Saturdays and no admittance on Sundays (Clergymen excepted).

2nd. No person, whether a friend of a prison officer or not, will be admitted without a pass previously countersigned by the Chief Guard or Deputy; and these officers are strictly enjoined to use great discretion re allowing people into the prison works; indeed it is better to apply to the Warden, when applications are made to visit the prison works, as it is not at all desirable that these works should be open to visitors, except under special circumstances; and no employees of the prison will be permitted to obtain a pass for a friend to visit the prison yard or works, unless with the express permission of the Warden.

3rd. Admittance to the prison will take place during the specified hours, by the south entrance, centre building, and through the east entrance gate. Persons having been found in the premises, admitted through any other medium, are to be arrested.

4th. It is distinctly ordered, that the north entrance of centre building is to be used only for admission of stores for prison use.

Form of pass:

Good only when countersigned by the Chief Guard or Deputy, and good only from the gate to and from the place designated.

CENTRAL PRISON OF ONTARIO

Warden's Office .... 1874.

Pass ....

From .... Gate to ....

....

W. S. PRINCE

☞ The person holding this pass will be arrested and reported to the Wardens's office if found in any other than the places designated in writing in this pass.

CENTRAL PRISON, June 19th,

Page 8. Regulations.—15. Employees are strictly prohibited at all times from smoking inside the walls or cell houses.

CENTRAL PRISON, August 20th,

Order No. 4.—The employees of the prison are referred to the prison rules and regulations. Paragraph 15, page 8. The Chief Guard will see that this is read to them.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C. ONTARIO,
TORONTO, February 19th, 1875.

SIR,—I have the honour to report for your information the escape of two prisoners named Lake and McKeown, transferred from Woodstock and Toronto Gaols to the Central Prison, under the following circumstances, viz.:—

The prisoners having, by some means, cut through the bars of their cell doors, so as to obtain a space of 9½ × 7¼ inches, crawled through and reached the floor of the corridor from the 3rd and 4th galleries of the south wing, by means of a crank shaft. They then concealed themselves in the dining room, and taking advantage of the door being opened, to admit the yard night guard and engineer, and its being left open during the time he was examining the thermometers to ascertain the temperature of the building, the prisoners stepped into the yard, broke open the clothes store, dressed themselves, gained the top of the wall by forcing one of the tower doors, and made good their escape. They have not since been heard of.

An investigation was made by me into the circumstances of the escape, and I found as follows:—

1st. That the escape was due to the gross neglect of duty and carelessness of Night-guard Powell, who was dismissed, with forfeiture of all arrears of pay.

2nd. To the inadequate arrangements made by the Warden to ensure a proper observance of duty by the night guards, and to the loose manner in which that duty had hitherto been performed, a knowledge of which encouraged these prisoners in their attempt to escape.

3rd. To the fact that the entrance to the wall towers is from the inside of the yard, instead of being as recommended by me on the outside of the walls. This is the second escape that has been facilitated by this means.

I at once gave directions to the Warden to take the most stringent measures to prevent a recurrence of this event, framing his orders so as to meet every detail of night guard duty, and improving such checks upon their vigilance, by night visits and otherwise, that a rigid performance of duty should be imperative. The Warden now reports that such measures have been taken as to effectually prevent other escapes by the same means.

I have the honour to be, Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector

The Hon. A. McKellar,
Provincial Secretary.

WILLIAM HARDIE, Prison-yard Guard and Foreman, being sworn, deposed as follows.—My duty is to keep the steam up at night and Prison-yard Guard. I go on duty at 5 p.m., and go off duty at 7 a.m. I visit the corridors at various times during the night in order to examine the steam-pipes and find out the state of the heating. I enter by the centre dining-room door leading out to the yard, then I open the wooden outside door and knock on the iron gate for the night-guard to admit me. Entered four times last night,—at 9 p.m., 10.30 p.m., 1 a.m. and 4 a.m.; knocked three times, but at 4 a.m. found iron gate open. I have found it open several times before this. Guard Powell on duty last night, was on duty when I found the gate open; found it open when O'Brien was on duty; don't remember any other guard's name who has been on duty when gate was left open; never reported that I found the gate open before this. After entering as usual the north and south corridors to examine the dormitories, saw and spoke to Guard Powell on each occasion of my entering. Powell followed me to the door on each occasion of my going out. Powell knew about what time I would come, so that he expected me. Have sometimes knocked at the door and waited for a quarter of an hour and had to go away without being admitted. I have told guards that I have been obliged to go away. Saw nothing unusual when I went out at 4 a.m. last night; heard no noise in the yard; could not say whether the gate was locked when I went in at 4 a.m., before Powell left it to follow me to north corridor.

WILLIAM HARDIE,
Prison-yard Guard.

JOHN POWELL, Guard, being sworn, deposed as follows.—Went on duty last night as night guard at 6, p.m., went off duty at 6.30 a.m.; saw Chief Guard at 7 and 8 p.m.; Guard Hardie about 10 and 11.30 p.m., at 12.30 and 2 and 4 a.m.; did not come in at 11.30; saw the Warden at 11.30 and spoke to him; passed through guard room and saw guards on duty at 7.30, 9, 9.30 p.m.; saw the Deputy Chief at 9.30; passed through guard-room on my way to hospital; went to hospital through south corridor stone steps at 1.30 and 4.40 a.m.; saw no guards on these occasions; went nowhere else than from one corridor to the other through dining room, except on these occasions ; have key to open wicket gates, hospital, key of outer gate from dining hall to yard, the dark cell key and key of sleeping-room, when on duty as night guard always keep these keys in my pocket ; Yard-guard Hardie did not knock when he wanted to come in at 4, a.m. ; had opened it for him, and stood waiting for him at the door of the north corridor ; left key in the door and did not go back to lock it until Hardie went away about five minutes ; went with Hardie into corridors at 2, a.m., and 4, a.m. ; sometimes hang key of gates on the ledge over dining room door ; I frequently leave it there ; sometimes carry it, with wicket key in my hand ; meant that I carried a small key in my pocket ; door was left unlocked when I went round with Hardie at 2 a.m. ; door was not-locked when Hardie was in at supper at 12.30, a.m. ; stayed with Hardie at that time, close to gate ; did not follow Hardie into corridors at other times, when he came in ; stood at the door till he came out ; door was unlocked ; spoke to one prisoner in his cell, No. 14 gallery, south wing, at about 8, p. m. ; he was making a noise laughing ; heard no other unusual noise during night ; went to top gallery south wing at 7.30 ; heard talking there ; visited top gallery, both sides, about 1, a.m. ; did not visit galleries 7 and 8 ; visited 5 and 6 once, about 11 ; visited 3 and 4 once 10.15, p.m., and once, a little earlier frequently passed round 1 and 2 ; visited 9 and 10 frequently ; visited 11 and 12 about 6.45, p.m. ; a part of 14 about 9 or 10 p.m. visited first cell only ; did same thing 10 and 12 galleries, did not visit these galleries again ; did not visit 13 and 14 till between 1 and 2 a.m. and then only went to the end, except when I went to prisoners in 14 gallery early in the evening ; visited 15 and 16 galleries three times once at 7.30, 8 and 8, p.m., and 15 gallery, went only part of the way about 7 30. Did not visit 15 again through the night. When Guard Hardie went out at 4 a.m. I followed him to the gate and locked it then walked around south wing, north wing, and then up to the hospital. Visited dark cell before I went up to the hospital. I took key of gate in my hand when I went up to hospital, kept key in my hand from that time till I was relieved. Put key on ledge over door frame at 11 30 ; it was there all the time until after 4, a.m., used wicket key at about 6.30 and came into the Warden's office, remained six or seven minutes, locked gate and took key with me, came into office to make out my report.

My instructions are that I am to visit the galleries frequently ; no time is mentioned. Guard Hardie has told me that he has knocked without being able to gain admission. I told him I came as soon as I heard him. Did not see Prisoner McKeown last night, did not look into his cell ; knew him ; did not know him to be a dangerous prisoner. Saw him sitting reading one night, did not speak to him that I am aware of. Did not know Lake. Heard no noise from these galleries last night. Thought it unnecessary to visit galleries frequently as I heard no noise. My opinion is that the prisoners got out of the gate into yard, while unlocked at about 4, a.m., while I was in north corridor with Hardie. Prisoners might have concealed in dining room as it is dark. Heard the orders read with reference to escape of prisoners ; extraordinary vigilance enjoined. Warden has frequently called my attention to necessity for going round galleries, when visiting me at night. Understood from night guards who I relieved, that I should come into Warden's Office to make out reports.

JOHN POWELL,
Guard.

Prisoner W. HOWARD, No. 335, cell next Lake's.—Heard no noise during night. Heard guard, or thought it was guard, pass once through night.

Prisoner J. TURNER, No. 306 gallery 15.—About 10 or 11 p.m. was lying in bed awake ; heard some one pass, and saw two prisoners as they passed ; went very quietly. Stood at end of gallery some time. Staid awake for two hours in order to tell the night guard. Did not see the night guard at all. Heard them climb down stank bars at south end. Heard no other noise.

WILLIAM BERRY, No. 290, Gallery 14, next to McKeown.—Heard whispering in gallery 16 and slight noise about twelve, p.m. Heard no other noise. Thought it was the guard.

WILLIAM THOMPSON, No. 962, next to McKeown.—Heard noise like filing every night this week. Heard telegraphing with spoons on door at night.

Rules and Regulations for the government of the Central Prison of Ontario, Toronto.

DEPARTMENT OF
INSPECTION OF ASYLUMS PRISONS &c ONTARIO
TORONTO 9th April, 1875.

SIR,—I have the honour to transmit herewith, for the approval of His Honour the Lieutenant-Governor in Council, a copy of the Rules and Regulations framed by me, in conformity with the provisions of 34th Victoria, cap. 17 section 7 defining the duties of the various officers and employés of the Central Prison and regulating the management, discipline, and routine of that institution all of which is respectfully submitted.

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon. the Provincial Secretary
etc. etc. etc.

The annexed Rules and Regulations, for the Government of the Central Prison of Ontario, were approved by His Honour the Lieutenant-Governor in Council, on this 19th day of April, 1875.

J G SCOTT
Clerk Executive Council.

Executive Council Office,
Toronto 19th April 1875

I.

1 The Officers and staff of the Central Prison shall be as follows :—

- A Warden
- An Accountant.
- A Surgeon.
- A Storekeeper,
- A Chief Guard.
- A Deputy Chief Guard.
- A Bailiff.
- An Engineer
- A Cook (and Baker)

And such guards as may from time to time be required

II.

WARDEN

2. The Warden is the responsible head of the prison, and superior in authority to every other officer It is his duty to see that the rules and regulations are strictly observed, and he is responsible for the proper administration of the affairs of the prison except in the financial department.

3. He shall, with his family be required to reside in the prison, but shall not use the prison labour (except for purposes specified by the Inspector) nor shall he use the services of any officer or servant of the prison for his private advantage He shall in virtue of his residence, be entitled to fuel, light, and water in addition to furnished apartments but shall receive no other perquisites whatever

4. The Warden is responsible for the discipline of the prison but shall not use the said prisoners he shall carry out all orders made, and instructions given by the Inspector of

Prisons; he shall frame and issue from time to time such orders as may be necessary in furtherance of the prison rules and regulations, entering such orders in the "Warden's Order Book"; he shall interpret all rules and instructions in cases where a doubt arises, and his decision shall be binding on the other officers, and relieve them from responsibility; he shall see that all the officers under him are careful, vigilant and zealous in the performance of their duties; he shall report to the Inspector of Prisons any neglect of duty, carelessness, insubordination or disobedience of orders on the part of any officer of the prison, and shall see that any orders made by the Inspector for such misconduct under the provisions of 34 Vic., Cap. 17, sections 8 and 9, are strictly carried out; he shall see that justice and morality characterise the conduct of all officers, that no unnecessary severity or harshness is used towards any prisoner, that no profane or indecorous language is used by any officer or prisoner, and that the prison service generally is carried out with humanity and discretion.

5. In giving effect to the rules framed for the encouragement of good behaviour and industry, great responsibility is thrown upon the Warden, and every officer of the prison, that, by giving to every prisoner the exact measure of justice to which his behaviour entitles him, the true intention of the rules may be carried out; and as the discipline of the prisoners depends upon the impartiality, intelligence and discrimination of the subordinate officers of the prison, it shall be the duty of the Warden by constant examination and supervision to satisfy himself that the reports as to the conduct of prisoners are correct and reliable.

6. The Warden is responsible that the rules and regulations in respect to the dieting and clothing of the prisoners are strictly enforced; that the food is well cooked, and cleanly and wholesomely served and punctually at the times appointed; he is to see that due economy is exercised in the preparation of the food, and that any changes in the dietary recommended as necessary by the Surgeon are properly carried out. He shall be present at least once a day at the meals furnished to the prisoners, to see that all regulations are observed.

7. The Warden is responsible that any prisoner, who is reported sick by the Surgeon shall be placed in the hospital and supplied with the diet ordered by the Surgeon. He shall visit the hospital at least once a day to see that the regulations and the orders recorded in the Surgeon's Minute Book are duly observed.

8. The Warden is responsible for the preservation of cleanliness and order in every part of the building, yards and grounds, and shall see that the shops and grounds occupied by the contractors are at least once a week cleared of filth, dirt, cinders and refuse matter, and that no lumber or material is piled on the grounds that will endanger the safe-keeping of prisoners; and shall see that the persons of the prisoners, their clothing, bedding and cells are clean and well kept. He shall see that the walls are whitewashed as often as necessary, and that no cutting, writing or mark of any kind (except the necessary prison marks) is allowed to remain on the furniture or walls or on anything belonging to the prison.

9. The Warden is responsible that the prison is properly heated, ventilated and lighted. He shall see that thermometers are kept in the various positions known to be the warmest and the coldest portions of the corridors, which shall be visited at stated hours during the night, and a record kept of the temperature at such times.

10. The Warden is responsible for the security of the prison, and shall see that the following rules are observed:

(1.) That the locks are secure and in good order.

(2.) That the entrance doors of the prison shall never be left open, or a key left in any lock, and that the keys are in the custody of the person in charge at all times.

(3.) That before a guard enters a cell, while any prisoner is in the corridors, the bolt shall be shot and the keys shall be removed so that the door cannot be closed upon him.

(4.) The Warden, or an officer deputed by him, shall once a day at least examine all cell doors, stair and passage doors, and carefully examine each window grating.

(5.) That all implements, or materials of work calculated to facilitate escape, shall be carefully collected and removed each night from cells and corridors and locked up in a secure place. No ladders shall be allowed to remain inside the prison proper, but shall be kept in a securely locked store.

(6.) That all prisoners employed in domestic offices shall be closely watched, and

never left unwatched. No prisoner shall have access to the main door of the prison, or be allowed to communicate with prisoners in their cells.

(7.) That all prisoners, cells, furniture and bedding shall be carefully searched at irregular intervals to see that no improper articles are concealed.

11. The Warden is held responsible that each night, before the hour of retiring, every part of the prison in which prisoners are confined shall be visited either by himself personally, or by the Chief Guard, and he shall cause the night guards to be visited on each night at irregular times to make sure that they are on the alert.

12. The Warden is held responsible that all guards who are placed on duty for the night, shall be fit for duty in every respect, and shall so arrange the Roster for night duty that no excuse can be offered for sleeping on their post.

13. The Warden is responsible that the working gangs are paraded at proper hours, and marched off to their various workshops; that in the case of sickness or discharge of a prisoner, another shall be selected to fill his place, and thus keep up the complement; that the shop guards, instructors, and workmen employed within the prison walls observe all the regulations of the prison; that the regular hours for work be not exceeded; that the gangs are mustered and counted at each meal and before locking-up, so that each prisoner may be present when closing the prison for the night; that the workshops, boiler houses, engine rooms, store-rooms, sheds, water-closets and lumber yards shall be examined every night after locking up, to see that all is safe; that the fastenings of all gates or doors leading to the outside shall be secure and locked, and that no person, other than the employees of the Prison, is on the premises; that no material is placed at or near the walls to facilitate escape, on the inside or outside; that the yard night guard is vigilant and alert in the performance of his duty; that the wall guards are at their posts before the prisoners are allowed into the yards in the morning, and do not leave their posts until after locking up at night; that they are properly armed, that their rifles are in good order, and that they have a sufficient supply of ammunition; and that every means are taken to secure the security of the prisoners during working hours.

14. The Warden shall visit each workshop at least once every day during the time the prisoners are working, and shall satisfy himself as to the behaviour of each prisoner, his industry, alacrity and zeal in the execution of his work. He shall observe the relations that exist between the prisoners and guards, instructors and workmen, with a view to check undue familiarity or intimacy; and shall see that no prisoner is worked beyond his capacity or strength, and that no favouritism exists.

15. He shall satisfy himself that no prisoner receives any gift, reward or letters from any guard, instructor or workman, and that no communication is carried on by such means with parties outside the prison. Should he discover such correspondence, he will at once suspend the offender, and prevent further intercourse with the prisoner, reporting the circumstances to the Inspector of Prisons.

16. The Warden shall not absent himself from the prison for more than twelve hours, without giving notice to the Inspector of Prisons; nor shall he absent himself from prison duty for more than forty-eight hours without leave of absence, or in case of sickness, reporting himself sick to the Inspector of Prisons. On all occasions of his absence he shall leave the next senior officer in charge, who shall perform all his duties, and be subject to his responsibilities; but it will be the duty of such officer to reserve for the Warden's consideration all important matters that do not demand immediate settlement. Should an extraordinary emergency arise, reference will at once be made to the Inspector of Prisons.

17. When any subordinate officer is found by the Warden to be unfit for his duties, or defective in moral character, it shall be his duty to report the case to the Inspector of Prisons, suspending him from all prison duty, pending the Inspector's investigation into the case. The Warden will not, however, summarily dismiss any officer without such investigation. When any officer is so suspended, and from the date of such suspension, no wages accruing or in arrears will be paid to him, as he is held liable to fine under the Inspector's authority.

18. The Warden shall consider it his duty to make himself acquainted with the social habits and conduct of every officer of the prison, particularly whether, when off duty, he is a frequenter of taverns or houses of similar resort, or associates with idle or loose characters, reporting the facts to the Inspector.

19. The Warden shall use every means in his power to forward the reclamation of the

prisoners under his charge. He shall see that they attend Divine Service regularly, or such religious meetings as may be held for their benefit and instruction; and shall facilitate their communication with clergymen of their respective denominations for religious instruction; he shall see that the books of the library are regularly issued to those entitled to their use; and that morality and decorum characterise their behaviour.

20. When a prisoner is received into the prison, the Warden shall cause him to be bathed, his hair cut and beard, &c., shaved, and he will then be examined by the Surgeon; should he be suffering from any disease he shall be disposed of as the Surgeon shall request. He shall be clothed in prison dress, and the Warden or Chief Guard shall read over to him the rules of the prison, and if free from disease, he shall then be removed to a cell, and be placed in a working gang.

21. The Warden shall cause a complete inventory to be made of all property or clothing found on the person of a prisoner, in a book to be called "Prisoners' Effects Book;" should any money be found, it will be handed to the Accountant to be deposited in the Post Office Savings Bank, in trust for the prisoner, and it shall be paid to him on his discharge, with any interest that may have accrued. Upon the serious illness of a prisoner, he shall notify a clergyman of the denomination to which the prisoner may belong, and shall consult the wishes of the prisoner as to any particular person he may desire to see. Upon the death of a prisoner he shall at once report to the Inspector of Prisons in writing, giving particulars as to name, sentence, where from, duration of illness, nature of disease, etc., and when practicable, shall inform the nearest relations of the deceased, and shall record the facts in his Journal. In case of the escape of a prisoner he shall instantly give information to the Inspector of Prisons, and to the Chief Constable of the City and neighbouring towns, giving a description of his person. Before any prisoner is discharged he shall cause him to communicate with his relations or friends, stating on what day and at what time he will be released, that they may have an opportunity of sending him money to procure a passage to his home. Passage money so supplied will be expended by the Warden, who will cause a ticket to be purchased for the prisoner, and have him placed on the train in order to ensure his departure. In the case of a prisoner having no means to enable his reaching home, the Warden may recommend to the Inspector that a ticket shall be procured for him, and, if granted, he shall be placed on the train by an officer of the prison.

22. The Warden shall cause to be kept the following books, viz.:—

(1.) The Prison Register, containing the name and descriptive details relating to the prisoner, nature of offence, term of sentence, &c., &c.
(2.) The Punishment Book, showing the nature of offence and extent of Punishment awarded.
(3.) The daily Journal of occurrences at the Prison, with any remarks he may think called for respecting them.
(4.) The Warden's Order Book, in which all orders issued from time to time must be entered.
(5.) The Reference Book, in which must be entered all minor cases submitted for decision to the Inspector of Prisons, with a margin for remarks.
(6.) The Inspector's Minute Book.
(7.) Prisoners' Effects Book.
(8.) The Prisoners' Labour Distribution Book.
(9.) Officers' Misconduct Book.
(10.) Prisoners' Visiting Book.

23. The Warden shall make the following returns to the Inspector of Prisons, viz.:—

(1.) A weekly return showing the movements of prisoners in the prison for the preceding week, with distribution on back showing occupation at time of return.
(2.) A quarterly return of all punishments inflicted, and for what offence.
(3.) A quarterly return of clothing, &c., issued to prisoners, showing the condition of that which is in use.
(4.) A quarterly return showing the work performed in the prison workshops for the preceding three months, with value of material, &c., used, and value of stock manufactured.

(5.) An Annual Report for the year ending 30th September showing the operations of the prison for the year and containing the following tables.

Table showing movements of prisoners during the year
Remarks upon working of the prison
Distribution of prisoners on 30th September
Nationality and religion of prisoners.
Social condition and habits of prisoners.
Education of prisoners.
Ages of prisoners.
Terms of sentences.
Counties from whence committed.
Offences for which committed.
Occupation previous to committal.

III

ACCOUNTANT

24. Subject to the control and authority of the Inspector the Accountant shall act as Financial Agent of the Prison and shall have general superintendence and charge of its financial affairs

25. He shall purchase and pay for all supplies and stores for every department of the prison when authorized by the Inspector to do so and no bills for the same, or for any service connected with the prison, shall be paid without his knowledge and without having been first submitted to and marked approved by the Warden

26. He shall keep the accounts of the prison, and prepare monthly statements of the receipts and expenditures thereof which shall be sent to the Inspector for audit, to be forwarded by him to the Treasurer of the Province for payment.

27. He shall make an exact copy in the day-book of every account paid by the prison and shall accurately analyse the same under proper heads of service, on the Journalising side he shall post such entries in the Prison Ledger every month immediately after the accounts have been paid and shall then make out a statement of all expenditures in duplicate, to be laid before the Inspector and the Warden showing the balance unexpended on the appropriation for the year's maintenance under each heading.

28. He shall examine and check all invoices and with the Storekeeper shall check all goods by the invoices, and shall see that all quantities are entered in the stock book, and that the quantities of goods received agree with those charged on the invoice, and shall procure the signature of the Storekeeper to the invoice as "received and correct," before forwarding the same for payment.

29. He shall from time to time, check the "Stock Book" with the "Issue Book," and see that the quantities issued and in store agree with the quantities in the stock book and that these books are properly and neatly kept.

30. He shall be held responsible that the quantities of supplies in store are adequate for the requirements of the prison and shall from time to time, as requisitions are made upon him by the Storekeeper marked "approved" by the Warden, make purchases of the same when authorized by the Inspector if such goods are not then in store.

31 Supplies for the prison shall whenever practicable, be obtained by contract, which will be entered into by the Inspector of Prisons. The Accountant shall take care to give timely notice of the termination of every contract, so that a new one may be entered into. It shall be the special duty of the Accountant to see that all contracts made for supplies are faithfully executed that the articles are strictly of the quality specified in the contracts and delivered at the time or times required. Especially with reference to articles of food he shall take care that if any part is unwholesome or not fully according to the specification of the contract, he shall cause it to be at once taken away by the Contractor and if the Contractor does not immediately replace it according to contract, he shall cause a quantity sufficient to replace it to be purchased forthwith in the market, the price of which shall be charged in the Accountant's books against the Contractor

32. If any doubts arise as to the fitness of any article of food, he shall, together with the Warden and the Surgeon, decide whether the same shall be received or rejected.

33. In order that a strict system of economy may be insured, the Accountant is enjoined to make such inspection and inquiry into the expenditure under each head, that he may be satisfied that the expenditure is legitimate, that the appropriation for each service is not exceeded, or that there has been no apparent want of economy in the use of that which has been consumed.

34. He shall receive from the Warden, weekly, the time books of the various shop guards which he shall see are properly certified in the manner prescribed in the contract leasing certain prison labour; and when examined and found to be correct, he shall charge in the books kept for that purpose, the amount of convict labour furnished to Contractors under the terms of their contract.

35. He shall also keep in a book provided for that purpose, a record of prisoners' labour expended upon any alteration, improvement, repair, or addition to any of the buildings, works, machinery, drains, yards, grounds, or property of the prison, or any prison labour expended on the farm or garden, and in the various branches of the domestic and disciplinary services of the prison, such statement of prisoners labour to be made up weekly and certified by the Warden, so that the precise value of prison labour may be ascertained and preserved.

36. He shall receive from the Warden from time to time, lists of prisoners, their ages, and previous occupations, in order to enable him to make tender of their labour to the Contractors. He will note in a book to be kept for that purpose, the numbers, names, and dates of such tenders and he shall furnish to the contractors all accounts and statements called for by any existing contract.

37. He shall attend at his office regularly from 9 a.m. until 5 p.m. in summer, from 10 a.m. until 4 p.m. in winter and at such other hours as may be necessary for him to leave no arrears of work.

38. He shall prepare and make out the following statements for the office of Inspector of Prisons:—

(1) Statement of expenditure (monthly) in duplicate, to accompany monthly accounts by the 18th of each month.
(2) Statement of revenue and expenditure (monthly) to accompany vouchers of receipt.
(3) Statement of labour account as furnished to Contractors (monthly.)
(4) Statement of casual revenue (monthly), by the 18th of each month.
(5) Requisitions for supplies (quarterly) and stock list of articles in store, on the 1st January, 1st April, 1st July and 1st October in each year.
(6.) Abstract from stock and issue book showing losses of clothing by wear and tear during half year.
(7.) Inventory of prison property (yearly) on the 1st January.

39. He shall also prepare a statement of expenditures for the year ending 30th September, together with,

a. A statement of labour account furnished to Contractors for the year ending 30th September.

b. A statement of casual revenue for the year ending 30th September. These statements must be in the Inspector's Office by the 5th of October.

40. He will also prepare similar statements for the year ending 31st December which must be in the Inspector's Office by the 20th December, as no payments can be made from the Treasury Department after that date. On furnishing this statement he will close his books for the year.

IV

SURGEON

41. The Surgeon shall visit the Prison at least once a day, not later than 9 a.m., and oftener if required; he shall have the general charge of the health of the prisoners, and the officers and employees of the Prison resident upon the premises, and shall be responsible for the professional treatment of those who require such treatment.

42. He shall see every prisoner as soon after his admission as practicable, and he shall see that the weight of each prisoner is recorded on being received into the prison, shall carefully examine him as to the hardness or softness of his muscles, the pliancy or stiffness of his limbs, and the general state of his health; the result being duly recorded. He shall note any evident peculiarities in the mental qualities of prisoners.

43. He shall visit sick prisoners as often as the different cases may require; and at least once in every month he shall go into every room and cell in the prison, and see every prisoner. He is responsible in the course of his visits or otherwise, for discovering whether there is any cause of sickness in operation, especially from the following, viz.: want of cleanliness, either in the person of the prisoners, or in their clothing or bedding; insufficient supply of food or of water; unwholesome quality of food or of water; want of warmth, either from the coldness of the cell or from the insufficiency of the clothing or bedding; want of ventilation; dampness or malaria; imperfect drainage; insufficiency of exercise in the open air.

44. Whenever he discovers any cause of sickness, he must give immediate information of it to the Warden, and if the evil be not remedied immediately, it shall be his duty to communicate the fact in writing to the Inspector of Prisons.

45. The Surgeon shall keep a book to be called the "Medical Register," also a book to be called the "Surgeon's Minute Book," both of which shall be open to inspection in the Prison and Hospital. He shall enter in the Medical Register the nature of every case of illness which is sufficient to prevent a prisoner from working, giving the date of commencement of such illness, the name of the prisoner, the ailment or disease, whether the prisoner was treated in the hospital or in cell, the result of such treatment, and the number of days that the prisoner was incapacitated for labour while under his care; also every death and the causes of the same. In his "Minute Book" he shall record daily, for the information of the Warden and the Hospital Guard, opposite the name of the prisoner requiring medical treatment, his orders for exempting such prisoner from labour, giving the period of such exemption, his prescription for medicine and treatment in every case, orders for extra diet, and the continuance of the same, and all directions and orders for the proper treatment and care of sick prisoners.

46. At his morning visit he shall first see the prisoners who report themselves sick, and he shall then decide whether they shall be returned to their work or shall be ordered to the Hospital or their cells for medical treatment, reporting the names of the sick to the Warden. In performing this duty he must bear in mind that with many prisoners every means will be resorted to, in order to shirk their work, and much depends upon the skill of the surgeon in detecting feigned sickness.

47. He shall visit daily those prisoners who are under confinement for prison offences and he shall be present on all occasions that it may necessary to inflict corporal punishment.

48. In attending the prison officers resident upon the premises, who may be incapacitated by illness from the performance of their duties, he shall report to the Warden the nature of their illness, and when they are able to return to their duties. And when desired by the Warden, shall visit officers at their houses and report similarly upon their case. If prevented from attending to his duties through illness or other unavoidable causes, he shall submit for the approval of the Inspector the name of another medical practitioner, who shall perform his duties during his absence.

49. He shall report to the Warden from time to time as may be required, upon all matters pertaining to his duties, and annually, or oftener, if required, he shall report to the Inspector upon the health of the prisoners, and the sanitary condition of the Prison, with such recommendations as he may deem necessary for the preservation of health and improvement of the service; and he shall also give such statistical returns as are or may be required.

50. A guard styled the "Hospital Guard" is detailed to assist the medical officer in the execution of his duties. His duties are at all times, to follow the directions of the medical officer, and obey his orders in the treatment of the sick.

V

STOREKEEPER.

51 The Storekeeper shall take charge of the stores and store-rooms of the Prison subject to the supervision of the Accountant, and he shall be held responsible for the condition of the goods committed to his care and for the order and neatness of the store-rooms.

52. He shall see that every article of clothing and bedding, and all general stores that will admit of it, are properly marked with the prison stamp as soon as they are received into store, and before they are issued for service.

53. He shall keep the following books —A book to be called the "Stock Book," in which a separate account shall be opened for every article of food, clothing, bedding, furniture furnishings and property belonging to the Province for the use and purposes of the Central Prison charging on the debit side of the account, in weight, quantity, or measure, every such article received into store for prison use, and crediting monthly all issues of the same for consumption and use a book to be known as the Issue Book, in which shall be entered daily the weight, quantity &c of all stores or supplies issued for consumption or use, and which shall be made up monthly and entered on the credit side of the Stock Book.

54. A book to be called the Ration Book in which shall be entered weekly in detail the provisions and supplies used for rationing the prisoners, showing the entire cost of the whole for the week and the average daily and weekly cost per prisoner also giving the same information in respect to the guards mess two copies of these abstracts shall be prepared and handed to the Accountant at the end of each week one for transmission to the Inspector and the other for the Warden

55 The Storekeeper shall make requisitions upon the Accountant for all provisions, stores and supplies for the use of the prison and prisoners, such requisitions to be first submitted for signature, and marked as approved by the Warden.

56 The Storekeeper shall deliver such provisions, stores and supplies to such officers of the prison and at such times as the Warden shall designate, upon such officer presenting a requisition for the same, signed and marked approved by the Warden.

57 He shall assist the Accountant in keeping the books of the prison and in the preparation of the monthly accounts, and shall render such other assistance to the Accountant as the duties above detailed will allow He will also perform such other duties as may be assigned to him by the Inspector of Prisons, and shall remain in his office from 8 a.m until 6 p.m.

58. He will remain in the Bursar's office during office hours in the absence of the Bursar

VI.

CHIEF GUARD,

59 The Chief Guard shall reside upon the premises and under direction of the Warden take principal charge of the premises day and night, and shall see that all the disciplinary officers and employees faithfully perform the duties assigned to them by the rules and regulations and the Warden's order book.

60 He shall be present at the opening and closing of the prison keeping a record of the reception and discharge of prisoners, inspect the prison at closing and see that all is in good order

61 He shall report to the Warden every morning the names of prisoners reporting themselves sick stating what is their complaint. He shall take the medical officer to see the sick or complaining in the cells or hospital.

62. He shall prepare requisitions upon the storekeeper for such articles of stores as may be wanted, confining his requisitions to that which is necessary and preventing all waste and extravagant expenditure, but such requisitions must be marked "approved" by the Warden before the stores can be drawn.

63. He shall every day cause to be examined the blankets, beds furniture, locks, doors, and cells generally and see that they are not injured and that no attempt at escape has been

made, and that no implements are concealed. Whenever he discovers anything wrong, he shall report the same to the Warden.

64. He shall spend the whole day in general supervision of the disciplinary officers and employees, and shall direct them in their respective duties. He shall receive reports from such officers and employees of all cases of disobedience or violation of rules, and shall report the same to the Warden—attending before the Warden on his disposal of offending prisoners. In the absence of the Warden, the Chief Guard shall have the Warden's power and authority, so far as relates to discipline, &c., and shall be obeyed and respected accordingly.

65. He shall be minute in the inspection of the guards when coming on duty, especially the wall-guards and their arms.

66. It shall be his duty generally to see that the whole establishment exhibits thorough neatness, good order, and cleanliness.

67. He shall at all times have a strict supervision over the internal affairs of the prison and especially of its police, and he shall be held responsible to the Warden that his orders are strictly obeyed, and to this end the Chief Guard must be present day and night, that he may be able during the evening and night to see that all is safe, and that the officers on duty are vigilant, and that the officers in the guard room are correct, and the guard room quiet, reporting anything otherwise to the Warden.

68. He shall constantly reside at the prison.

69. He shall visit the several working parties frequently, and see that the prisoners are kept steadily at their work. He shall diligently observe the behaviour of the officers and prisoners, see that they strictly adhere to orders, and shall immediately report to the Warden any neglect or misconduct that may come to his knowledge.

70. He shall see that all the officers are fully instructed in their particular duties.

71. He shall see that all prison keys are delivered up to him every evening, at the "the evening count," and that they are securely disposed of for the night, under such regulations as may be established by the Warden.

72. He shall deliver to the cook daily a return of rations required the following day and compare those of the preceding day with the total number of prisoners. He shall notify the Storekeeper of any changes in the guards' mess, and shall see that no extra clothing is issued to a prisoner without the authority of the Warden.

73. He shall keep a minute book in which shall be entered his daily routine of duty and special occurrences.

74. He shall see that the books and registers in the Warden's office are properly kept.

75. It shall be his duty to set an example of sobriety, vigilance and energy to the officers under him. The practice of frequenting public houses and groceries where spirits are sold and of drinking in them is so disreputable, and so calculated to lower the efficiency and respectability of the officers of the Central Prison, that the Chief Guard shall bring under the notice of the Warden any officer who entertains this habit, as he cannot be permitted to remain upon the prison staff.

76. He shall also consider it a main part of his duty to exercise a sound moral influence over both the officers and prisoners placed under his supervision.

77. He shall frequently visit the prisoners in their cells. He shall restrain, by his authority, every tendency to oppression or undue harshness on the part of officers, and likewise every tendency to levity, rudeness and insubordination on the part of prisoners, and shall discourage by his own example, and by the maintenance of a high moral standard, every disposition to deceit and falsehood, and impress upon the prisoners a sense of their responsibility and the benefits arising from a conscientious discharge of their duties.

78. He shall retain in his possession all keys of the grated doors leading into the north side centre building, also the key of the grated door between the prison proper and the meat department, and shall attend and open the same whenever required for the admission of stores, meat, and discharge of refuse, &c., locking the same after reception or discharge thereof.

79. The Chief Guard shall fill up every morning, in the book designated "Prison daily labour distribution book," the distribution of labour for the day, specifying under the heads of their several employments the nature of the work they are employed upon, and submit the same for the inspection of the Warden.

VII

Deputy Chief Guard.

80. He shall reside in the prison. He shall assist the Chief Guard in the general superintendence of the officers and prisoners, &c. in the execution of his duties.

81. He shall be constantly patrolling and visiting the working parties, reporting to the Chief Guard any infraction of discipline neglect or dereliction of duty that may come under his notice.

82. He shall whenever required, take the place of any Shop Guard who may be absent.

83. He shall see that all prisoners on arrival are thoroughly cleansed, their beard removed, and their hair cut close, and that they are supplied with a suit of prison uniform.

84. He shall also personally supervise the bathing of prisoners at the stated periods.

85. He shall promptly report to the Chief Guard any indications of disease that he may discover and shall see that the plain clothes taken from prisoners on their arrival are properly cleansed repaired if necessary, and then securely tied up in a bundle, marked, and put away in the "clothes store room" for safe keeping, to be restored to them when discharged.

86. He shall personally superintend the change of dress by prisoners to be discharged this change is invariably to take place in the "Drying Room" and the deputy shall see that every article of prison clothing is taken and delivered over to the Storekeeper.

87. He shall lose no time in communicating to the Chief Guard for the information of the Warden every circumstance which may come to his knowledge affecting the safety and health of the prisoners, and the efficiency of the officers, or in any other way requiring the Warden's attention.

88. He shall pay particular attention to prisoners confined in the dark cells for punishment.

89. If under any circumstances, the Warden and Chief Guard are both absent the charge of the prison shall devolve upon the Deputy Chief Guard.

90. The rule of conduct to be observed, and example to be set by the Chief Guard apply also to the Deputy Chief Guard.

VIII.

Bailiff

91. The Prison Bailiff shall be attached to the Central Prison for purposes of pay but shall be considered as an Officer of the Department of Inspection. He will however be amenable to all general rules for the guidance of officials of the prison while within its walls, and when not otherwise employed shall do such duties as may be assigned to him by the Inspector of Prisons, in connection with the service of the Central Prison.

92. He shall be responsible for the safe conveyance and transfer of all prisoners from Common Gaols to the Central Prison and shall make such reports and prepare such transfer papers as may be necessary for the purposes of the prison.

93. He shall account for the expenditure of all moneys entrusted to his charge and shall sign a monthly statement of expenses incurred in the transfer of prisoners.

94. He shall be responsible for the conveyance of all money and valuables found on the persons of prisoners when committed to gaol, until he can hand them over to the Warden of the Prison and receive his receipt therefor.

95. He shall perform such other duties as may be assigned to him by the Inspector of Prisons, under the provisions of Sec. 1 Cap 24 33th Victoria.

IX

Engineer.

96. The Engineer shall have general charge of all fittings and matters connected with the supply of water gas steam, &c. and of the repair of locks, bolts &c. He shall also be responsible for the serviceable state of the fire hose and hydrants engines, boilers &c.

97. He shall keep accounts of all consumption of coal, wood gas, &c. connected with his department, and use every exertion to promote economy in these particulars.

98. He shall make such daily or other reports, and keep such records connected with his department as shall be required by the Inspector of Prisons. He shall attend to the steam boilers, engines, fires, &c. during his period of duty and see that the machinery is kept clean and in good order

99 He shall attend with the other guards, every evening at the "evening count," accounting for the safety of the prisoners under his charge he shall not leave the premises until the withdrawal of the Wall Guards upon the evening count being found correct and on his being relieved by the "Prison Yard Night Guard and Engineer"

100. He shall not absent himself from the Prison during his hours of duty without leave from the Warden

X.

COOK AND BAKER

101 The Cook and Baker shall superintend the cooking and baking for the whole prison, including the prisoners' and guards' mess, and shall be held responsible for the proper cooking of the food, and for the cleanliness of the kitchen and bakery, the coppers and all utensils in use in his department.

102. He shall board and lodge upon the prison premises, and not absent himself therefrom without permission of the Warden

103 He shall make requisitions upon the Storekeeper which are to be signed by the Chief Guard and countersigned by the Warden, and delivered by the Chief Guard to the Storekeeper for the supply of rations for the use of the prisoners and the guards mess. A certain hour each day shall be set apart by the Warden for the delivery and reception of stores to and from the storekeeper's department for the kitchen and other parts of the Prison proper after which the communication between these departments shall be closed, except for special requirements.

104. He shall every morning receive from the Chief Guard a list of the number of prisoners to be dieted and shall keep such an account of the number of prisoners, and the quantity of food received into the kitchen, as may be required of him by the Warden.

105. He shall be exact in measuring or weighing the provisions to be served out to the prisoners and guards' mess at each meal and it shall be his duty to see that due economy is observed in the management thereof and that no waste takes place in his department, and to report to the Chief Guard for the information of the Warden any defects he may observe in the quality of the articles of food.

106. He is strictly forbidden to employ any prisoner in the kitchen unless authorized by the Warden. He shall be responsible for the good conduct and obedience to prison rules and discipline of all prisoners employed under his charge and he shall immediately report to the Chief Guard any infringement of the prison rules and regulations, on the part of the prisoners detailed as his staff, such as unnecessary talking, wrangling or smoking, and it will be the duty of the Chief Guard and Deputy Chief Guard to visit the kitchen and adjoining apartments frequently during their tour of duty to see that the rules are enforced.

107 The Cook shall conform to the rules and regulations of the prison, and such orders and regulations as shall be issued from time to time in the same manner as any other guard and account personally for the number of his squad to the Chief Guard at the evening count.

108. He, together with the prisoners comprising his staff shall confine himself wholly to those departments which are placed under his supervision within the prison proper viz the kitchen and bakehouse.

109 All prison keys entrusted to his charge during the day shall be delivered up to the Chief Guard at the evening count.

110. The Chief Guard or the Deputy will always attend at any hour named by the Warden for the purpose of opening the gates or doors to which the Cook or his staff shall have access.

111 The Cook shall lock up and keep out of the prisoners reach food of any description, such as that which goes down to the kitchen from the Guards' mess, &c which they

might otherwise be tempted to take; and he is on no account to give the prisoners any food beyond their proper allowance and quality.

XI.

PRISON YARD NIGHT GUARD AND FIREMAN.

112. He shall mount duty at the evening "count," and shall patrol in and about such parts of the prison yard and buildings, and during such hours as the Warden may direct. He shall vigilantly watch the premises through the night. He shall note down in "The Night Patrol Report Book" for the Warden's information, the precise nature of any irregular or extraordinary occurrence during the night.

113. In case of fire or other emergency he will instantly communicate with the Night Corridor Guards, they in their turn arousing the guard room officers. He must attend to the engines, boilers and fires during the night time, keeping a record during the winter months of the register of heat, as shown by the thermometers in the corridors. He shall observe due economy in the consumption of fuel and gas.

XII.

HOSPITAL GUARD.

114. He shall reside upon the premises, and not leave them without the permission of the Warden.

115. He shall attend the sick under the direction of the Prison Surgeon, and shall assist in preparing and dispensing the medicines ordered by the medical officer, and see that the medicines so ordered are taken by the patients at the proper time, and that the diet ordered by the surgeon is given and properly entered in a book.

116. He shall see the complaining sick every morning before the prisoners are sent to work, having them in readiness for the visit of the surgeon.

117. He shall on no account suffer his prison keys to be in the possession of any other person, or lay them carelessly about, or admit any stranger into the hospital without obtaining the Warden's authority.

118. He shall keep the hospital books properly filled up according to order. He shall be particular in calling the surgeon's attention to any case that may require instant attention.

119. All orders for the removal of prisoners from the cells to the hospital must be signed by the Surgeon; also those returning prisoners from the hospital, and these orders are to be registered in a book to be kept for that purpose, termed the "Hospital Guard Book."

120. He shall see that the prisoners in the hospital are clean in their persons, and wash themselves properly, and that every prisoner has clean sheets at least once a fortnight, and that their linen and stockings are changed every Sunday morning.

121. He must be particular as to the number of articles sent from the hospital to the wash, and take an inventory of the same, and that there are no deficiencies on their return.

122. He shall be particular in enforcing cleanliness in any part of the hospital. He shall keep such lights burning during the night as the Warden or Surgeon may direct.

123. He shall keep a report book, in which he shall daily report to the Warden and Surgeon all occurrences of importance in the hospital, such as want of repairs, the misconduct of any prisoner, any irregularity in the supply or quality of provisions, &c.

124. He shall be responsible for the safe custody of all provisions or medical comforts provided for the hospital, and of all medicines, bedding, necessaries, &c., committed to his charge, keeping inventories of the same, and he shall render such account of them as may from time to time be required.

125. He shall not issue any drugs or other articles without written directions from the medical officer, except in cases of emergency. He shall not upon any pretence bring wine or spirits into the hospital for his own use, or unauthorized books or papers.

126. He shall conform to all orders and regulations.

127. The Hospital Guard shall take charge of the library and issue the books for the prisoners' use, under such orders and regulations as may be issued by the Warden.

128. In the event of his time not being fully occupied in the discharge of the duties hereinbefore stated, he shall be liable to the performance of such duties as the Warden may order.

129. He shall attend the evening "count" with the other guards.

XIII.

SPECIAL RULES FOR GUARDS.

130. Guards will under no circumstance leave the prison without permission from the Warden or Chief Guard, but hold themselves in readiness for active service, night and day.

131. The first and most important duty of a guard is, at all times, to maintain the safe custody of the prisoners, and should prisoners attempt to escape, the laws of the Province justify the shooting of such, or of any persons who may be assisting in such attempt, if such action is found necessary in order to prevent the escape. Except in extreme cases, offenders should be distinctly warned of the consequences before shooting is resorted to.

132. Wall Guards are required to pace their beats while on duty with rifle in hand, only stopping for rest MIDWAY ON THEIR BEAT AND WITHOUT SITTING.

133. Guards while on duty are strictly prohibited from smoking and from reading books, papers, letters or communications of any kind, and from conversing with any person, except as the nature of their duties may require.

134. Guards must keep their arms and accoutrements clean and in perfect order, constantly ready for use, and neither cut, mark nor deface them in any manner. Wilful or careless loss, destruction, or damage to the arms will be charged to them, and they will be required to pay for the same.

135. Guards or employees must never leave their posts on duty assigned them, until relieved by proper authority; and guards, when relieved, will report at the guard-room, and remain in readiness for duty at a moment's notice until permanently dismissed.

136. The guards will require on the part of the prisoners such strict compliance with such rules of the Prison as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

137. The Chief Guard and Deputy Guard are held strictly accountable for the management of all ARMED GUARDS, their arms, accoutrements, and everything pertaining to their several duties. A willing and cheerful obedience to them is expected in whatever they may direct.

138. It shall be the duty of the Night Guard in the corridors during the night, to keep patrolling round the block of cells, and upon the galleries, with worsted slippers on noiselessly, that he may be able to detect and suppress any unnecessary violation of the required silence, and it is strictly enjoined upon him not to suffer the prisoners to speak except to make known to him their immediate wants.

139. Guards are to be at all times properly shaved and dressed, neat and clean in their persons, and properly equipped.

140. All duties are to be conducted in a quiet and determined manner, and boisterous tones in talking, whistling or singing in the guard-room and other parts of the prison are strictly prohibited.

141. Discussions or disputes of any nature, as to politics or anything else, within the prison premises, are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

142. Guards are expected to be courteous and respectful towards each other, never using improper language, and always cultivating a proper and respectable deportment, and they are to abstain from the expression of any political or religious opinion calculated to give offence.

143. Guards will be respectful in their manners, and courteous in their language to all officials, or strangers, visiting the prison under the proper authority.

144. Lights are to be out in the guard-room at 9.30 p.m., at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for the evening.

145. Guards, when off duty, will not be permitted to wear their uniform, but will wear plain clothes.

146. The uniform clothing is to be kept in good repair at the Guard's own expense, except when torn in the execution of duty. The uniform is not to be the property of the Guard at any time, but is merely for his official use whilst an officer of the Central Prison.

147. Guards are directed not to use as topics of conversation at any time and in any place, the incidents occurring in the performance of their several duties, in regard to the prison or prisoners, or their own or others' sphere of duty in the prison.

148. Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison must conduct themselves in a quiet and orderly manner. Loud talking, laughing, and personal allusions to prisoners by pointing or otherwise, are strictly prohibited.

149. Two guards shall every night (at 7, p.m., in winter, and 8, p.m., in summer), visit all the workshops, engine rooms, and cellars upon the premises where fire has been used during the day and search thoroughly for any sign or indication of fire, and shall report to the Warden and Chief Guard the slightest want of care that may there be discovered. These officers are not to handle, touch, or disturb any of the tools or machinery or other property of the contractors.

150. Guards are constantly to keep in mind that it is required of them to prevent any prisoner making his escape AT ALL HAZARDS.

151. All guards sent on escort duty shall wear their belts and pistols outside their tunics.

152. Guards taken ill shall immediately report themselves to the Chief Guard, who will send them to the Surgeon and ascertain the cause of their illness, and report such to the Warden.

153. On guards being taken ill off duty and unable to report themselves as usual for duty, they shall despatch without delay a written report to that effect to the Chief Guard, the latter sending the report to the Medical Officer who shall attend the Guard's residence and report his case to the Warden.

154. The Corridor Night Guards shall be armed.

155. It shall be the duty of each Corridor Night Guard, immediately on his coming on duty, to carefully examine the door of each cell and see that it is secure and not tampered with. The grated doors leading from the guard-room and dining-hall into the corridors, are to be closed and locked on the night guards mounting duty.

156. The night guards are ordered to search and patrol every gallery in their respective corridors continuously. The patrolling of a gallery means not simply walking along it, but moving along noiselessly, closely observing the cell doors on passing, stopping frequently and listening in the event of any noise, such as *filing bars* or other indications of attempts to escape betraying themselves. Upon inspection of the cell doors on a night guard coming on duty he shall see that a prisoner is in the cell, *assuring himself that what he sees is a real living person.*

157. A book shall be kept in each corridor during the night-time to be designated "The Night Patrol Report Book," in which the night guards shall register the incidents that occur during their period of night duty, the time they mount and the hour they are relieved, the hours that they are visited, and the degree of heat every two hours as registered by the thermometer. These books to be laid in the Warden's office for his inspection every morning by the Chief Guard.

158. The "tell-tale" clock is to be checked by the night guard every hour; and every time the clock is checked, the guards shall proceed to the dining-hall grated gates, which face each other, and wait until they see each other and signal "all right" or otherwise. In the event of a guard not appearing and signalling within *ten minutes* of the proper time, the guard waiting shall instantly repair to the guard room, arouse the officer and procure the keys. Should the guard *not* answering in time be unable to account for his absence satisfactorily, it shall constitute a breach of prison discipline, and shall be treated accordingly; and if a guard is disabled by an escaped prisoner, the escape will, by the observance of this rule, be soon discovered.

159. All property in the possession of prisoners on their arrival at the Central Prison shall be registered in a book kept for that purpose at the time their description is registered, commencing with the prisoner's No. and name, then description of property, and lastly the

condition of their clothes, specifying whether in good condition or the contrary; this is to be signed by the prisoner, and witnessed by the Registering Prison Officer. Prisoners are on no account to be placed in cells without being examined and properly registered; their boots shall be invariably removed.

160. The wall guards are not to leave their posts from the hour of mounting, until the evening signal is sounded for their relief; their mid-day meals will be served to them in the towers, and extra vigilance is required of the wall guards during the prisoners' dinner hour. The wall guards are required to be vigilant and on the alert, and they are never to keep inside the towers unless forced in by stress of weather, when they must keep a sharp look-out through the windows of the towers. The wall guards are to be reminded that they hold the key to the safety of the officers and security of the prisoners; it is therefore essential that their attention should be concentrated upon the action of prisoners within their view, and especially those near the base of the walls.

161 The Guards and employees of the prison shall be particular in keeping their watches by the time of the guard-room clock, as the small entrance door shall be closed and locked at 10 p.m., according to prison time, and not opened for the admission of any official after that hour.

162 No person will be admitted into the prison after 6, p.m., and after 4, p.m. on Saturday, and no person shall have admittance on Sundays, Clergymen excepted, unless accompanied by the Inspector of Prisons, who shall have access at all times.

163 No person shall be admitted without a pass, previously countersigned by the Chief Guard or Deputy Chief Guard

164 The north entrance gates, centre building, are to be only used for admission of stores for prison use.

165 In the event of an officer being suspended or dismissed he shall not be permitted to enter the prison premises.

XIV

RULES FOR SHOP GUARDS.

166 Shop Guards shall under no circumstances leave the prison without permission, but must hold themselves in readiness for active service both day and night.

167 Shop Guards are required to be promptly at the Cell House at the appointed hour in the morning, to receive their respective gangs, and from that time until the prisoners are again locked in their cells they will be held strictly responsible for the conduct and safe custody of their entire gang

168 The duties of the Guards should be understood as separate and distinct from those of Foremen for Contractors and the Guards will not interfere with or attempt to instruct the prisoners in the manner in which they shall work or on what particular part they shall labour or on what amount of work they shall perform, but they shall listen to all reports the foreman may desire to make, and dispose of the cases as they may have been instructed

169 It is desirable that the Guards should understand that their success in controlling prisoners depends very much on their own deportment, and a sharp and close observation of all that occurs around them

170 Shop Guards will require on the part of the prisoners a strict compliance with such rules of the Institution as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof

171 All Guards while on duty are strictly prohibited from smoking, and from reading books, papers, letters, or communications of any kind and from conversing with any person except as the nature of their duties may require.

172 Shop Guards in charge of sections at work, shall not allow their prisoners to make any enquiries relative to any subjects not immediately connected with their duty employment or wants or to speak or hold any conversation with each other or to leave their work without permission or to speak to or gaze at visitors, but shall see that they are continually employed, and that they labour diligently in order and in silence.

XV

PRISON GATE GUARD.

173. The Gate Guard shall allow no team or person unaccompanied by the Inspector of Prisons, the Warden or Chief Guard, to pass in or out of the prison yard, except such persons whose names shall be placed from time to time upon a list signed by the Warden, and in possession of the Prison Gate Guard, and persons being at such times engaged in the performance of their duties as officers or employees in connection with the prison works, except any person be in possession of a pass in writing signed by the Inspector of Prisons, the Warden or Chief Guard, and he will take up all passes as the holder leaves the yard, and return them daily to the Warden's office. He will examine all teams passing in and out, and see that nothing is concealed.

174. He shall have charge of the keys of the gate, and shall unlock it in the morning for the admission of the officers and employees, and such persons who are authorized to enter, and lock them for the night at such hour as the Warden shall from time to time direct. He shall not leave his post from the time he mounts duty to the hour of relief.

175. The Gate Guard shall not allow any officer or employee attached to the prison to pass through the gate during the hours of duty, without the authority of the Warden.

176. The Guard shall keep a list of all employees residing in the prison who shall go out on leave, in order to know if they enter at the proper time.

177. In case of doubt as to an order for admission into the prison being genuine or properly obtained, the Gate Guard shall apply to the Warden or Chief Guard, before allowing admission. He shall be watchful to prevent escape and he shall be watchful to observe closely the appearance of workmen, carters &c. passing out through the gate, in order that he may detect any attempt on the part of a prisoner to escape in disguise.

178. The Gate Guard shall only admit to the prison yard, vehicles which have loads for the use of the Works or Prison; cabs, carriages, &c. must remain outside.

179. The Gate Guard shall be armed, and his hours of duty shall be the same as those of the Wall Guards.

XVI.

GENERAL RULES FOR THE GOVERNMENT OF GUARDS AND OTHER EMPLOYEES

180. All persons entering upon, or retaining any position as an employee of this prison, must do so with the full understanding that they are to lend a prompt, willing and positive obedience to the rules of the prison and the instructions of its officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned, and all who cannot do so cheerfully, must neither accept nor expect to retain any position here.

181. Any employee desiring to leave the service of the prison will be required to give thirty days notice of his intention to do so, otherwise all pay due will be forfeited.

182. All employees who are subordinate to the Chief Guard will be required to report to him, and he shall keep their time and send in the time book to the Accountant.

183. No employee will be allowed to absent himself from duty under any circumstance, without permission from the Warden or Chief Guard.

184. Employees are strictly prohibited from taking newspapers, books, or other reading matter inside the walls or cell houses, AND ARE ABSOLUTELY PROHIBITED FROM LEAVING ANY CITIZEN CLOTHING INSIDE OF THE YARD OR CELL-HOUSES.

185. Employees are strictly prohibited from talking with prisoners at any time, except as the nature of their business may require, and all familiarity between employees and prisoners is absolutely prohibited.

186. Employees are prohibited from selling to, or buying anything from, a prisoner, or giving to or receiving from them anything in the nature of a gift or present, or conveying to or from them any message, either written or verbal. Any ministers or other religious instructors, or Sunday School teachers, permitted to attend the prison, shall not receive from or confer any present upon the prisoners, or become the medium of communication between them and their friends or others, and they shall conform to the rules and regulations adopted

for the government of the prison any infringement or departure from which rule shall debar them from future intercourse with the prisoners.

187 Employees will be required to pay for the wilful or careless destruction, loss, waste, or damage by them of any property of the prison.

188. Employees are prohibited from using profane, indecent, abusive or insulting language towards prisoners, and it is especially desirable that they should refrain at all times from the use of such language in or about the prison.

189 All employees are prohibited from discussing within the limits of the prison, the manner in which any officer or employee performs his duty and from making any remarks which might tend to reflect upon the character or management of such officer or employee. They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or other similar Institutions.

190. Intemperance will not be tolerated among employees, neither will they be allowed, to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal and will never be overlooked

191 Employees will refrain from visiting the shops or yard while off duty and from receiving visits from friends while on duty

192 Employees are prohibited from replying in like terms to what they may conceive to be impudent or insulting language on the part of a prisoner Their duty is to report such infraction of discipline

193. Employees are prohibited from passing in and out of the gates except when official duties render it necessary for them to do so

194 Employees are strictly prohibited at all times from smoking inside the walls or cell houses.

195 No officer or employee shall directly or indirectly have any interest in any contract or agreement with reference to any supplies to the prison nor shall he receive directly or indirectly under any pretence whatsoever any fee or gratuity or present from any contractor or person tendering for supplies, nor from any prisoner or prisoner's friend nor from any person visiting the prison

196 All wrangling and disputes upon points of duty between the officers of the prison are strictly prohibited; questions of this kind must be referred to the Warden, and all complaints rendered in writing to him; such complaint must be rendered within twelve hours of the occurrence complained of or it will not be received and if it should be found that the complaints are frivolous or vexatious, or arise from a spirit of malice or revenge, the complainant will render himself liable to dismissal. Officers and employees having any grievance connected with their duties must state the same in writing for the Warden's consideration.

197 Every officer or employee who shall knowingly bring in or carry out or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any prisoner any money, clothing provisions, tobacco, letters, papers, or other articles whatsoever, shall be at once dismissed and criminally prosecuted.

198 Any officer or employee who has been found guilty of an act of negligence, carelessness or insubordination, will be reported to the Inspector of Prisons, who has authority to impose a money fine, proportionate to the gravity of the offence, upon such officer or employee.

199 Any employee of the prison obtaining leave of absence shall leave the prison premises at the announcement of his leave, and not return until the expiration of his leave; should he return before, he shall be considered on duty from the time he returns.

200 All prisoners on their arrival at the Central Prison shall be handed over to the Receiving Officer detailed for that duty and be by him marched to the "Drying Room." They will then be stripped and washed during which process all bodily marks are to be recorded, the whole of the clothing worn by them removed, and a prison suit furnished them, and care is to be taken that no opportunity is afforded to the prisoner to convey any article into his cell. Trinkets or money taken from the prisoner are to be handed over to the Chief Guard who shall register the same in the "Prisoner's Property Book" the record to be read over to the prisoner who shall sign to the same, and his signature is to be witnessed to by the Receiving Officer; a register of his clothing shall also be entered specifying whether it is in good condition or otherwise. After washing, the prisoner shall be examined by the Prison Surgeon. Any prisoner being found medically unfit for the prison labour is to be immediately re-

ported in writing, by the Prison Surgeon to the Warden, in order that the information may be forwarded by him to the Inspector of Prisons. The prisoner's hair is to be cut short and his face shaved. Previous to his being marched to his cell, the prisoner's description is to be taken and registered in the "Entrance Examination Book." All property taken from any prisoner shall be made up in parcels and docketed with the name of the prisoner to whom the property belongs. After prisoners are received at the prison, the rules relating to the conduct of prisoners, their treatment, and that which affects the prisoner as to his present and future conduct, shall be read over to him by the Chief Guard.

201. The Guard Room is for the exclusive use of the discipline officers of the prison. It consists of an associated dormitory for the Guards, the Chief Guard's Room, the Deputy Chief Guard's and the Guards' Mess Room. Silence and decorum shall be preserved in the Guard Room. Conversing in a loud tone of voice is strictly forbidden.

XVII

ROUTINE OF DUTY

202. All Guards will parade and report themselves daily for duty to the Chief Guard at a quarter to six o'clock in the morning.

203. At a signal from the Chief Guard, the Shop Guards will take their keys and proceed to their respective galleries and unlock the cells, the other Guards taking up such positions in the corridors as the Chief Guard may direct, where, by their presence and watchfulness, they shall endeavour to prevent any communication between the prisoners, and other improper conduct on their part.

204. At the next signal the prisoners shall all step out of their cells and move off in file down stairs to the ground floor, where they will form up in columns of galleries. On their return to their cells, each prisoner will take up his breakfast ration and proceed to his cell and stand with his left hand on the gate till the first gong is sounded; he will then step inside, closing the door up *to the lock*, but not fastening it; on the second gong signal all doors shall be pulled *home*, and the crank immediately put on, the Balcony Guards remaining at their posts until this is done. The guards will then form in line, and report to the Chief Guard that their respective galleries are correct or otherwise.

205. If the number is correct, upon a signal from the Chief Guard the guards will break off and go to their breakfast, with the exception of one, who will remain to patrol the corridors.

206. At 6.45 a.m. each working day the guards will again assemble, and on a signal from the Chief Guard will unlock their cells as before, form their prisoners in line and march them with their night buckets to the "bucket stand," returning to the parade ground opposite the dining hall door, where they will form up in columns of galleries, ready to be formed into working parties, under the personal supervision of the Chief Guard.

207. Prisoners shall continue at their work until the whistle sounds at 12 o'clock noon, when the gangs will be formed in close file outside, and well clear of their shops, in the order in which they are arranged in their cells, and be marched into the dining hall, each guard giving his "count" in writing to the Chief Guard as they are marched in. The prisoners will remain standing until the gong sounds, when they will take their seats and proceed with their dinner. Half the guards will then proceed to dinner, for which twenty minutes shall be allowed, after which they shall relieve the other half. At ten minutes to 1 o'clock, the prisoners will be moved out to their respective shops, each gang rising on a signal from its guard, who will hold up his right hand, and then march off his squad without word of command.

208. At the 6 o'clock whistle to "cease work," the gangs will again form up in close file as at midday, and be marched to the bucket stand, when each prisoner will take up his night bucket, and carry it on his left arm, using his right hand to take up his evening meal, and proceed to his cell, place the bucket and supper inside, and stand facing his cell as in the morning, the first and second sound of the gong being always the signal for his entering and closing the cell door. He will then stand inside his cell with his right hand grasping the grated gate while the gates are being doubly locked and the "counts"

are being made. The guards in double locking, shall see that each prisoner "stands to his front," with the right hand grasping the grated door of his cell.

209. The wall and gate guards will remain at their posts till the second signal whistle is sounded; until this sounds, the security of all the prisoners is in abeyance, and should the second whistle be delayed, the wall guards will at once understand that there is a prisoner missing, and be on the alert accordingly.

210. Upon "Counts" being taken previous to marching in, the gangs are to fall in outside, and well clear of their workshops, and the "Count" is to be taken from front to rear. In marching off, the guard's place is in a line with the rear file, and whilst marching the prisoners' faces are to be turned, and heads inclined towards the flank that the guard is on.

XVIII.

Rules for Contractors' Foremen.

211. The chief duty of the Contractors' Foremen is to instruct and direct prisoners in that particular branch of the business to which they are assigned, and to do so in a mild, but firm and dignified manner.

212. Foremen are not required for the purpose of governing or disciplining prisoners, therefore it is not necessary that they should use force or threatening language in the discharge of their duties, and the use of such is strictly prohibited, except, of course, in case of self-defence, in defence of others, or to preserve the peace of the prison and maintain the safe custody of the prisoners.

213. When prisoners wilfully fail to carry out the instructions of a foreman, or use threatening, defiant or impudent language, or commit any other act endangering the peace and good discipline of the Institution, it shall be the duty of the foreman to immediately report the same to the guard in charge.

214. All foremen must be promptly at their respective shops at least ten minutes before the hour fixed for prisoners to commence work, and will be required to remain there during working hours, and make a thorough examination of their premises personally (after the prisoners have left) at noon and night.

215. All officers, foremen, instructors, or other employees of the Contractors who may, under the regulations, be permitted to enter the Prison workshops or yard, must strictly conform to all rules and regulations laid down for the guidance of Guards or employees of the prison, and any infraction of such rules and regulations by the employees of Contractors will be promptly dealt with.

216. A copy of these rules is furnished each employee, and they are to be enforced on all occasions.

XIX.

Rules for Prisoners.

217. The following rules shall be observed by prisoners:—

(1.) The first duty of the prisoner is strict obedience, and it will be to his interest to obey all rules and regulations.

(2.) On entering the Prison strict silence must be observed. No conversation between prisoners is allowed, except by permission of the officer under whose charge they may be.

(3.) The prisoner must not speak to any visitor, give to or receive from them anything, without the permission of the Warden or Chief Guard.

(4.) Prisoners must not leave the ranks or their place of employment without permission. If sick or unable to work, they must make it known to the officer in charge, and act as he may direct.

(5.) Prisoners must approach an officer in a respectful manner—always touching his cap or forehead before speaking. He must be prompt in taking his place in line, march lock-step with his right hand upon the shoulder of the man in advance, incline his face toward the officer, and attend to and promptly obey his orders. Prisoners passing through the yard must walk in file, never abreast.

(6.) On reaching the cells, prisoners will stand at cell with their left hand on the door. At a given signal will step in, close the door up to the lock, keeping hold until the second signal is given, when they will close it altogether, remaining with their hand upon the door until the bar is closed and the count is made. In case of miscount, he will resume his position at the door until the count is correct.

(7.) He must keep his cell and furniture clean and in good order. No marking or scratching the walls, nor spitting upon the floor, will be allowed. At the sounding of the 9 o'clock gong, P.M., all prisoners must put out their lights, undress and retire.

(8.) At the sounding of the morning gong, he must turn out, dress, make up his bed neatly, and be ready for marching out. At the signal, he must open the door, step out, and stand erect until ordered to march.

(9.) No prisoners will be allowed to stare idly at visitors or strangers passing through the Prison; neither will they be allowed to make any alteration in their clothing or the furniture of their cells.

(10.) All prisoners are required to attend religious services on Sunday, unless sick or excused by the Warden or Chief Guard. In Chapel silence must be observed. No reading will be allowed, and strict attention must be given to the service. Spitting upon the floor, shuffling of the feet, or any unnecessary noise is strictly forbidden.

(11.) Insolence in any form will not be tolerated. No smoking by prisoners is allowed on the prison premises.

(12.) Prisoners will be required to bathe once a week in summer, and once in two weeks in winter unless excused by the Physician, Warden, or Chief Guard.

(13.) Every prisoner shall have permission to write to his friends once in four weeks. In case of necessity for special letters, permission must be obtained from the Warden or Chief Guard. All letters written or received must first be examined at the office, under the direction of the Warden, before being sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or to receive letters and visits from friends, or books from the library is dependant upon general good conduct, and obedience to rules.

(14.) The use of books and all reading matter may be suspended by the Warden for violation of rules.

(15.) Prisoners must apply by letter to their friends or relatives, for money to take them home, a month prior to the expiration of their sentence.

(16.) Prisoners shall be required to labour diligently during those hours detailed for work, and in marching to and from their cells they shall observe such order as may be directed by the Warden; they shall be required to communicate with their Guards in a respectful manner, and with the greatest brevity; they must conduct themselves with perfect order, and in strict obedience to the direction of their officer.

(17.) Each prisoner shall have a Bible in his cell, a hymn book, and may take such tracts and books as shall be approved of, and furnished to him.

(18.) Punishment will be resorted to as rarely as necessity will admit; the regulations of the prison are, nevertheless, to be observed and maintained inviolate; and all infraction thereof, or any resistance to the lawful commands and authority of the Guards, shall subject the offenders to solitary confinement, and to be placed in irons at the discretion of the Warden; and the Warden is authorised to employ and permit the use of weapons by the Prison Guards, to put down insurrection by force, and to prevent escape at all hazards from the prison.

(19.) No visitor will be permitted inside the prison unless accompanied by a Prison Guard.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, 11th June, 1875.

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that a prisoner named Richard Clancy escaped from the Central Prison, Toronto, on the 14th May, at 11.45 a.m., by placing a plank against the rear wall of the yard, by which means he effected his escape I have examined into the circumstances with this escape, and find, that if the instructions that I gave, that at all times when prisoners were in the yards, the wall guards must be on duty had been strictly adhered to, the attempt to escape would in all probability never have been made. The escape, therefore, in my opinion was attributable to the fact, that the wall guards were allowed to go to dinner before the prisoners were "counted in" to dinner The Warden has forwarded me a copy of an order issued immediately after the escape took place, which if attended to, should prevent escapes in the same manner

On the first instant, two prisoners escaped by entering the tunnel drain running through the front grounds of the prison where a gang of prisoners were employed in improving and ornamenting the grounds. The gang was under the supervision of five guards at the time.

I consider that the guards were guilty of neglect in allowing the escape to be successful, and the Warden should not have allowed prisoners who were sentenced to long periods, to have been taken into the front grounds. The names of the prisoners who thus effected their escape, were Robert Purcell, and Robert McCulloch; the former having an unexpired period of about four months to run and the latter having a period of about one year and a quarter to run.

I have Instructed the Warden not to take prisoners to work outside the prison walls, who have more than three months of their sentence to fill, and only then, under the most rigid supervision

I have the honour to be, Sir
Your obedient servant,
J W LANGMUIR,
Inspector

To the Honourable
The Provincial Secretary

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 17th June, 1875.

SIR,—Referring to your letter of the 11th inst. with reference to certain escapes of prisoners from the Central Prison I am to direct you to institute an inquiry into all the particulars so as to ascertain to whose neglect any of such escapes is to be attributed. Your inquiry will be specific, in order that such guards or other officials to whom neglect is attributable, may fully understand the reason for whatever subsequent action the circumstances may call for

I have the honour to be, Sir
Your obedient servant,
I. R. ECKART,
Assistant Secretary.

Mr Inspector Langmuir
Toronto

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C, ONTARIO
TORONTO, 30th June, 1875.

SIR,—In obedience with instructions contained in the communication of the Provincial Secretary of the 17th inst. I visited the Central Prison, yesterday for the purpose of making a more specific inquiry than that already instituted and reported upon into the escape of two prisoners from the Central Prison grounds, on the 31st ult. that the officers who were guilty of neglect or carelessness may be dealt with as the Government may direct. I examined, at the same time, into the circumstances connected with the escape of three prisoners named Deacon, Wylie, and Cunningham, from the field attached to the prison for garden purposes, on the 21st inst., making five prisoners which have escaped from the prison grounds within three weeks, only one of whom, up to the present time has been recaptured.

The circumstances and facts connected with the escapes from the front grounds on the 31st ult., are as follows:—About forty prisoners were selected to work on the front grounds in draining, levelling, and ornamenting. These prisoners were divided into three gangs under three regular, and two supernumerary guards, as follows:—Guard William Gifford, had charge of 16 prisoners; Guard William Johns, assisted by supernumerary Guard Wall, had charge of 14 prisoners, and Guard Frederick Hill, assisted by supernumerary Guard Henry Langman, had charge of 20 prisoners. The prisoners were selected by Chief Guard Beaumont, and the gangs and *the guards* were being *generally* supervised by Deputy Chief Guard Stedman. The duties of these guards appeared to be sufficiently well defined by the Warden, and understood by the guards, viz., that each guard was to be responsible for the safe custody of the squad under him, and in the event of any emergency all were conjointly to act for the safe keeping of all the prisoners. It appeared, however, that Deputy Stedman had other duties to perform besides supervising the work referred to, and sometimes was called away to attend to them.

The tunnel drain through which the prisoners escaped is of sufficient diameter to admit a man. Commencing at the Grand Trunk Railway it runs into the prison grounds about 200 yards, with an opening at each end.

The danger of this drain, as a means of escape, was fully known to the Warden and the guards, and the work of putting in a covered box drain, from the opening in the grounds to the point where it intersected with another drain, was about to commence. The prisoners comprising the gangs were all counted at one o'clock, p.m., on coming out from dinner, and found correct. The gang in charge of Guard Gifford was placed at work north of the drain opening; that in charge of Johns, north-east, and that in charge of Hill south of the drain opening, and in full view of it. At two o'clock the man in charge of the semaphore on the Grand Trunk Railway gave the alarm that two prisoners had escaped through the drain; but though pursuit was made by some of the guards, the escaped prisoners were never seen by them. What time between one and two o'clock the escaped prisoners entered the drain is unknown. The conclusions I have arrived at, after a careful examination into all the circumstances, are:—

1st. That the Warden erred in judgment—

1. In sending too great a number of prisoners out into the grounds to work.

2. In not personally examining the rolls to see that no long-date prisoners were allowed to get into the out-door gangs, instead of leaving such important work to the Chief Guard.

3. That he did not arrange to have the Chief or Deputy Chief Guard constantly present with such a large number of prisoners and guards.

2nd. To neglect, on the part of the Warden, in not having the mouth of the drain staked, or partially stopped up, when his attention was called to the danger connected with it.

3rd. To disobedience of orders on the part of supernumerary Guard Langman, who left only for a short time between one and two without reporting or obtaining leave. This guard has since been dismissed for drunkenness.

4th. To neglect of duty on the part of Guard Frederick Hill in not keeping a proper watch over the prisoners committed to his care, in not frequently counting them to assure himself of their presence in the gang, particularly as he was aware that the drain might be used as a means of escape, and in not noticing that the wheelbarrows which the escaped prisoners had been working with were lying idle.

I have to state, that for this neglect on the part of Guard Hill, I have caused him to be suspended from duty, pending your decision upon the matter now reported upon.

Respecting the escape of the three prisoners from the field attached to the prison, on the 21st instant, I have to report as follows:—The prisoners, Wylie, Deacon, and Cunningham were part of a gang of nine prisoners, under the charge of Guard Mansell, who has made the following statement :—

I am the guard in charge of the garden gang, Central Prison ; the gang consisted of nine men. About 5.20, p.m. on the 21st June, the three prisoners, Deacon, Cunningham, and Wylie, were at the further end of the nine acre field engaged in planting potatoes, and I told them I should require them in about five minutes to go on with the rest, in watering newly planted cabbages. I collected the rest of the gang and sent them down to go on with watering the cabbage patch ; was *nearly three hundred yards away from the three prisoners planting potatoes.* I followed the prisoners to the cabbages, and was engaged from five to ten minutes telling them in what way to water them. I then proceeded to bring in the other three at the potatoe patch ; when I observed they were not in the field, I immediately gave the alarm and after getting the remainder of my gang into the prison started in pursuit. Prisoner Deacon had been working under me in the field for two months ; prisoner Cunningham has been with me since last summer and out with me when I was in charge of prisoners working outside ; prisoner Wylie had been in the garden for a month. The working of a piece of ground of the dimensions of the prison field necessitates the scattering of prisoners, the different kinds of vegetation requiring each daily labour in their culture.

"Wm. Mansell,
"*Guard.*"

I am of the opinion that these three escapes were attributable,

1st. To a serious error in judgment on the part of the Warden in allowing nine prisoners to be taken out into the field to work in charge of only *one* guard, although armed with a pistol, for it is obvious that if eight of the nine prisoners had run away, it would have been the guard's duty to remain in charge of the only remaining one until he was relieved or had brought him back to prison. There should have been at least two guards, one of whom should have been armed with a rifle.

2nd. To the placing of too much confidence in the prisoners he had charge of, by guard Mansell, as shown by his own statement, through which mistake he lost control over at least three of the prisoners committed to his care.

For this mistake on the part of Guard Mansell I have caused him to be suspended from duty until I am further instructed. I have also instructed the Warden of the prison not to take any more prisoners out to work in the grounds beyond the prison walls, except in the garden, and then only prisoners selected personally by himself and under the charge of not less than two guards, one of whom shall be armed with a loaded rifle.

I have the honour to be,
Sir,
Your obedient Servant,
J. W. Langmuir,
Inspector.

The Hon. the Provincial Secretary,
Toronto.

Provincial Secretary's Office, Ontario.
Toronto, 7th July, 1875.

Sir,—With further reference to the correspondence respecting the escape of two prisoners on the 31st of May last from the Central Prison, I am now directed to say that, the matter having been referred to the Hon. the Treasurer, the conclusions set forth in your Report of the 25th June, have been approved of by him. I am further to intimate that the neglect on the part of the guard, Frederick Hill, should be visited with a reduction of a

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week's pay, to serve as a caution against his being again found guilty of a similar neglect. With respect to the escape of three prisoners on the 31st June last, the Treasurer coincides in the conclusion of your Report. The guard Mansell appears to have been sufficiently punished by his suspension from duty, which he may now be ordered to resume, his pay for the period of his suspension having been forfeited. You will be good enough to intimate officially the purport of the above to the Warden.

I have the honour to be,
Sir,
Your obedient servant,
I. R. Eckart,
Assistant Secretary.

J. W. Langmuir,
Inspector, &c.,
Toronto.

EXTRACTS

From the Report of the Inspector of Prisons for the year 1876, *in relation to the foregoing matters.*

"When it is considered that a very large proportion of these prisoners are habitual offenders of the petty order, who have for many years been oscillating between one Gaol and another in the Province, and not a few of whom have been committed to the Central Prison two or three times already, I cannot but think that the periods of sentence, as indicated in the above summary, are much too short for the accomplishment of the objects aimed at in the establishment of this Prison. There is a class of offenders the frequency of whose offences against law and order renders them pests to society, and whom, after their third commitment to a Gaol, it would be much better to send to the Central Prison for the full term that the law allows, than for two or three short periods every two years or less. The civil condition of this class of prisoners—three-fourths of whom are unmarried—point to the fact that protracted incarceration would involve little or no hardship to families dependent upon them for a living. On the contrary, but for the humiliation thereby caused to relatives, their enforced absence from the family relation would, in most instances, be a relief not only to their friends but to the community.

"The fact that 441 of the 587 prisoners who were committed during the past year, were, from their own admissions, of intemperate habits, affords additional evidence of the correctness of this conclusion.

"The mistaken leniency of awarding short periods of imprisonment to this class, is not only demonstrated by the very serious charge that their repeated trials cost the Province, but also by the persistency with which they return to their evil courses. No sooner is the dilapidated physical condition of these habitual offenders rehabilitated by the healthy regimen of a prison and the enforced suspension of dissolute habits, than they are set free only to return in a short time for a repetition of the same kind of treatment. Apart from the mistaken leniency of short sentences in such cases, both from a moral and a penal standpoint, it is not fair to the Province which, at a great cost, has established an industrial Prison, that just as soon as this class of prisoners are restored to such a bodily condition as to perform hard labour in the prison their sentences expire and they are discharged. For this class of offenders, constituting about one-third of the commitments to the Central Prison, it is most desirable that cumulative sentences be given, until they reach the period of two years.

Although this Prison was largely designed for the class of prisoners I have been speaking of, still, an examination of the table of offences will show that if this intermediate establishment had not been in existence the crimes of many of the prisoners who were committed to it were of sufficient enormity to have consigned them to the Penitentiary. It would appear that 23 were convicted of burglary, robbery and kindred offences, 14 of assault with intent to rape, 34 of aggravated assault, 13 of cattle stealing, 11 of forgery, embezzlement, &c., while no less than 258 were convicted of larceny in its various degrees. Many of these prisoners were hardened criminals who had expiated sentences for previous crimes, in the Penitentiaries of Canada and the United States. These two classes of prisoners—the petty but chronic offender against law and order and the old *habitué* of many penitentiaries, are, of all others, the most difficult to deal with. In this connection I may now refer to the system of

DISCIPLINE

that prevails in the Central Prison. In recommending the establishment of the Prison, I pointed out in my Annual Reports of that period the many serious defects and deficiencies of our Common Gaol system, chief among which was the indiscriminate association of old and young, tried and untried, innocent and guilty. Not only were these classes of prisoners indiscriminately associated, but they were so kept in utter idleness, which, above all conditions, is the most fruitful source of vice and crime, and in addition, discipline and order were the rare exceptions, instead of being the rule, in the government of these Gaols. It was to remedy these defects, and to supply the deficiencies in our Gaol system, that the Central Prison was founded. And in the administration of its affairs, keeping in view this object, I have no hesitation in saying that it is better to err on the side of rigid discipline than on a laxity of it, and with respect to the two classes of prisoners referred to that have to be dealt with, it will be apparent to all, that, so far as these criminals are concerned, the strictest kind of discipline becomes necessary.

"Admitting, as I do, that for the proper protection of society, the punishment of crime and the reformation of the criminal must be the ground-work of all effective systems of prison discipline, the very first step in the accomplishment of these objects is the entire subordination of the will of every prisoner to constituted authority. The lives of habitual offenders having been one continued revolt against law and order, with little or no subjugation of the will, or exercise of moral restraint, the very first lesson that these men have to learn on entering the Prison is implicit submission. Failing that, the application of reformatory measures to those of this class who are not beyond such influences must prove abortive—whilst deprivation of liberty only, to those who are, is no punishment whatever, unless it be accompanied by strict prison discipline and enforced hard labour.

"The labour that has to be performed by the prisoners in the Central Prison is no harder than what honest mechanics or labourers outside of the Prison have to do, and the hours are the same as in ordinary shops and in labouring employments; the dietary being infinitely better than what a large majority of mechanics and labourers can supply themselves with by their honest exertions. Cleanliness, both in the persons of the prisoners and in every department of the Prison, together with the greatest promptness, punctuality and order in the performance of duty are strictly enforced.

"The rules and regulations in respect to these matters and for regulating the general conduct of the prisoners, constitute the discipline of the Prison, and its enforcement neither involves harshness nor severity, unless a prisoner renders that treatment necessary through disobedience or insubordination. The discipline of the Prison, however, must be maintained and the rules and regulations obeyed, otherwise

DISCIPLINARY PUNISHMENT

must be resorted to. This consists, firstly, of deprivation of a meal or certain privileges; secondly, confinement in the dark cell on bread and water diet; and thirdly, confinement in the dark cell in irons. The latter punishment is administered by causing the refractory prisoner to be handcuffed to a ring in the wall about even with his eyes, the anklets being used to secure the legs to another ring in the floor. Physical pain is, of course, caused by the elevation of the hands and arms and the general fixity of the body, which, however, does not prevent the prisoner from shifting his position and resting the head and shoulders against the wall. When it was found necessary to administer this kind of punishment for the first time, the prisoner is given to understand that its duration, after an hour or two, will depend upon himself. If he expresses contrition for the offence committed, he is at once taken out of irons. If a prisoner, however, has to be punished in this way more than once, he has to remain in irons for a fixed time, but if for a longer period than 24 hours he is taken down in the night and to his meals. This placing of a prisoner in irons is not resorted to except in cases of gross insubordination, or of continued disobedience of the rules.

And here I may refer to certain charges, or rather insinuations, that were made, and which subsequently were formulated into charges against the Warden and the acting Chief Guard of the Prison, involving cruel treatment of the prisoners on the part of these officers. Although the examination into these charges of alleged cruelty took place after the close of the official year, it is but proper that the matter should be alluded to in this report.

It would seem that every instance of what was looked upon as cruelty was carefully noted by persons who had been dismissed from the prison service, and by certain others who were disaffected towards the rule of one or both of the officers alluded to. The acts of alleged cruelty extended from the opening of the Prison in June, 1874, up to the time of the investigation, but not in a single instance were they made known to me as Inspector, either verbally or in writing, or in the evidence shown to the Warden. Whatever spirit may have animated the persons from whom the information was obtained, and however disingenuous its sources, it will, under the circumstances, be readily understood that due prominence would be given to every case of the kind that might come under the notice of the witnesses.

"The instances of alleged cruelty, as stated by all the witnesses in their evidence, numbered twenty-three, and a careful analysis of each case shows that they may be here divided into seven distinct categories, to each of which I will refer as briefly as possible.

"1st. In six instances, prisoners while at drill or in marching order, and in three cases while at work, were tapped on the feet, legs, hands or some other part of the body, with a cane used by the Acting Chief Guard, in order to get them to keep step or for other slight causes. The evidence, however, pointed to the fact that this tapping—for it was nothing more—was very frequent for the first year after the opening of the Prison, and that it was not confined to the Acting Chief Guard, but was done more or less by nearly all the Guards. The practice having been noticed by the Warden, an order was issued, prohibiting it, which, from the evidence, it would seem, had the desired effect.

"2nd. In six cases, prisoners attempted to escape from the Prison by secreting themselves until the Guards should be withdrawn, which rendered it necessary to keep the Guards on duty and without sleep for sixty hours. When these prisoners were discovered, the Warden ordered that five of them should receive six stripes with a small cane, and the sixth a rope's ending. Three of these prisoners had been transferred from the Reformatory to the Central Prison, as being utterly incorrigible and beyond the reach of reformatory influences.

"3rd. In five instances, prisoners upon reporting themselves sick, were ordered by the Acting Chief Guard to return to their work, as he believed they were malingering—a practice which is of frequent occurrence, and that requires guarding against. In some of these cases the prisoners refused to go to work and were, in consequence, placed in the dark cell, and upon being examined by the Gaol Surgeon, the decision of the Chief Guard, in every instance except one, was sustained by the Surgeon, who pronounced the prisoners to be well and fit for work. The exception was a case of temporary faintness.

4th. One night, at the close of 1875 or the beginning of 1876, a prisoner named Lewis became so noisy that he disturbed the entire dormitory, causing other prisoners to join in the noise. Upon reporting the case to the Warden, the Acting Chief Guard was instructed to place a wooden gag in the prisoner's mouth to keep him from shouting, and to handcuff his hands behind his back to keep him from breaking up the furniture in his cell. On going into the cell to carry out this instruction, the Chief Guard alleges that the prisoner attacked him with a piece of iron broken from his bedstead, upon which he clenched the prisoner and beat him several times across the shoulders and hips with a key he had in his hand, after which the order of the Warden was carried out. The Turnkey, who was present, states that he did not see Lewis attack the Chief Guard. It is possible that the attack may have been made without the Turnkey seeing it, but in corroboration of the Chief Guard's statement it was clearly proven that the iron bedstead and cell furniture were broken, and that the prisoner had broken off a large piece of the stone jamb of the cell door. It was stated by several witnesses that the prisoner had given evidence of insanity prior to that occurrence, and subsequent events proved that the surmise was correct; but on the other hand, the Prison Surgeon did not certify to insanity for a considerable time after it took place. Under any circumstances, there is no proper place or means for the care of lunatics in the Prison; the alleged cruelty, therefore, considering this fact, did not consist in the means taken to prevent the other prisoners from being disturbed, but in the charge, if true, that the prisoner was struck other than in self defence.

5th. One prisoner was kept in irons for 72 hours without being taken down, except to his meals and other purposes of necessity, but it was clearly proven that he had been guilty of gross insubordination, threatening and insolence on that as well as on many other occasions, and that he was a violent and dangerous man. From the statements of the Warden and Chief Guard, it just became a question whether the officers or the prisoner should be masters. From the date of that punishment, the prisoner became one of the best behaved men in the Prison.

6th. The Acting Chief Guard was said to have knocked a prisoner's head against the wall until the blood came from his ears. This the Acting Chief Guard denies, and the Surgeon states that it is impossible that this could have been done without causing a fracture, which neither the Surgeon nor anyone else saw.

7th. Three prisoners were placed in irons for insubordination, and while in that position were exceedingly noisy and violent. Upon being visited by the Acting Chief Guard with a view to stopping the noise, and while the irons were being removed from them in order to take them to another cell, it was clearly proven that two of them used the vilest language to the officer mentioned, and one of them kicked him. Under this provocation the Acting Chief Guard struck them with his clenched fist. All of these prisoners were proven to be violent men, requiring frequent punishment.

"In the foregoing categories are comprised all the acts of cruelty that were brought to light, after a most patient investigation extending over two weeks, during which time every officer of the Prison was placed under oath and examined.

"To sum up in respect to these various charges, it would be absurd to designate what is referred to in the first and second categories as acts of cruelty, inasmuch as the same practices are being carried on every day in our Common Schools. They had, however, been stopped in the Central Prison a year prior to the investigation.

"With respect to what is comprised in the third category, it is clear that as long as prisoners will feign sickness, prison officers will now and then make a mistake in their decisions in that relation. In order, however that such mistakes of judgment may be reduced to the minimum, the Prison Surgeon has been directed to visit the Prison every morning at nine o'clock, so that every case of sickness reported may be pronounced upon by the proper medical officer of the Prison.

"It is much to be regretted that such harsh measures had to be adopted in the case of Lewis, in order to prevent him from disturbing the dormitories at night and breaking the cell furniture; the more so as subsequent events proved that the prisoner must have been insane at the time. A short time previous to the occurrence, a prisoner had been transferred from the Prison to Rockwood Asylum under certificates of insanity; but after a very short observation on the part of the Medical Superintendent of that Asylum, he certified that the man was not and never had been insane, although affected with an ungovernable temper. I have recommended that some better provision be made for the custody of violent and refractory prisoners, and it is most desirable that when the Hospital is erected a room should be provided for insane prisoners, pending their transfer to an asylum.

That part of the charge in respect to the Acting Chief Guard striking the prisoner Lewis, other than in self-defence, is reduced, as the statement shows, to a question of veracity between that officer and a witness.

The class of prisoners referred to in the fifth category are found in all prisons, and although few in number their stubborn and unyielding temper, and the pertinacity with which that spirit is maintained, even when they clearly know that they are in the wrong, constitute one of the most difficult problems that prison officers have to deal with. The punishment awarded in this particular case, severe as it had to be, had the desired effect, although in many prisons some of this class are almost constantly under punishment.

"It was in dealing with the prisoners alluded to in the seventh category that the Acting Chief Guard committed serious indiscretions as a prison officer, but which, in the light of the facts elicited, cannot possibly be characterized as acts of cruelty. Under no circumstances, except in a clear and well-defined case of self-defence, should a prison official strike a prisoner. That the prisoners were beyond endurance, only showed the necessity and importance of the Guard controlling his own temper, and of using lawful means of punishment, which are always at his command.

Before closing my remarks in connection with this subject, I desire to say that I wish it were possible for the discipline of the Prison to be maintained without inflicting physical pain, and that moral suasion and kindly admonishment alone could accomplish that object; but as far as I can ascertain, both agencies are necessary in all well regulated prisons. To well-behaved prisoners, however, and they comprise the large majority, there is no terror in the fact that dark cells and irons have to be resorted to, in order to keep the unruly and insubordinate under control.

"The severe check that the industrial operations of the Prison received through the failure of the Canada Car Company to carry out its original contract with the Government for the employment of the prisoners, has prevented me from inaugurating such a scheme of rewards and remissions of sentences as will tend to encourage and promote good conduct, and stimulate industrious habits on the part of the prisoners. Now, however, that the industrial success of the Prison bids fair to be permanently established, I trust that I will be warranted in submitting a scheme for the approval of the Government at an early day."

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RETURN

(Central Prison)
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To an address of the Legislative Assembly to the Lieutenant-Governor, praying that he will cause to be laid before the House copies of the Report made by the Provincial Secretary and the Inspector of Prisons, regarding the internal management of the Central Prison, as the result of any investigation by them, together with a copy of the evidence taken upon the investigation.

By Command,

S. C. WOOD,
Secretary

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, January 16th, 1877.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO, 30th December, 1876

MEMORANDUM.

The undersigned having investigated the charges made against Chief Guard Beaumont by the Warden of the Central Prison finds that the suspension of the Chief Guard by the Warden, and his subsequent dismissal, were fully justified

S. C. WOOD,
Provincial Secretary

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 13th September, 1875

The Complaint against Chief Guard.

SIR,—I have the honour to transmit to you for your information a communication addressed to me by Prison Guard Patrick Wall preferring various charges against Chief Guard Beaumont, and to inform you that with reference to the first subject of complaint I disposed of it as follows —" That the Chief Guard was guilty of improper conduct, in obstructing the egress of Guard Wall from the prison on the Sunday in question, he (the Chief Guard) having no power to do so, the guard not being on actual duty at the time That the proper action of the Chief Guard should have been to have given Guard Wall his orders, and if they were not complied with, to have charged the guard before the Warden with "disobedience of orders."

With reference to the other charges preferred by Guard Wall, I declined to receive and entertain them, as the charges were not made within twenty-four hours of the occurrences complained of. I have further to add that prior to my taking up the matter, the Chief Guard stated to me that Guard Wall *had expressed a desire to withdraw the complaint*; this of course I paid no attention to.

I have the honour to be,
Sir, your obedient servant,
W. S. PRINCE,
Warden.

To the Inspector of Prisons.

P. S.—Since writing the above, it has been reported to me that the Chief Guard sent for Guard Wall and asked him to withdraw his communication made to the Warden, as it would ruin him in Toronto. Upon receiving this report I questioned Guard Wall as to whether it was correct or not. The guard in reply states to me that he was sent for to the office by the Chief Guard, and solicited by him to withdraw the letter, as the result would ruin him in Toronto. These proceedings on the part of a Chief Executive Officer of a prison and his subordinates, I think perfectly disgraceful and certainly tend to corroborate the assertion of Guard Wall, "That the Chief Guard's control over the guards is merely a nominal one," and that it cannot be expected that such a man can execute the authority of a Chief Guard.

W. S. PRINCE,
Warden.

CENTRAL PRISON,
Monday, 6th Sept. 1875.

To the Warden,

SIR,—I wish to bring to your notice the extraordinary conduct of Chief Guard Beaumont, on Sunday last, in detaining me as prisoner, and prohibiting me from exercising the right to free egress from the building (when not on duty), which I consider myself entitled to both as guard and a freeman. I can see no par in our Regulations authorizing such conduct, and even if such authority existed I should imagine that while you were on the premises the proper course to adopt would be to first acquaint you, and then to act according to your instructions.

I also beg to inform you that the above conduct though strange, does not surprise me, as I had been for a considerable time expecting him to do something wonderful, as to my knowledge and to the knowledge of every guard in the Prison (which can be testified upon oath) he is in a habitual state of drunkenness more or less; his control over the Guards at the present moment is merely a nominal one; if one of the guards be detailed for duty on Sunday, and he does not like to do it, he goes to the Chief and says it is not my turn for duty, the detail is changed and another man put on. One instance—on Sunday last Guard Gifford was detailed, and subsequently Newton in his place; he does not report these things or in fact anything as far as I can see, for he is in the power of every man in the institution; consequently, it cannot be expected that such a man can exercise the authority of Chief Guard.

But when the Deputy Chief Guard warns a guard for duty, he knows he must do it; neither are there any practical jokes carried on, the reason being that the man is always sober and capable of giving and receiving orders. With reference to what I have stated concerning the habits of Mr. Beaumont, I can testify upon oath, and so can the guards in general.

I am, Sir,
Your obedient servant,
PATRICK WALL.

Re Charges against Chief Guard, Central Prison

Toronto, Sept. 16 1875

SIR,—I have the honor to inform you that it is my intention to investigate into charges of drunkenness and irregular conduct that have been preferred against you as Chief Guard of the Central Prison.

I have the honour to be, Sir,

Chief Guard Beaumont,
Central Prison,

Your obedient Servant,
J W LANGMUIR,
Inspector.

WARDEN'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 20th Sept., 1875

Minutes of an investigation held by the Inspector of Prisons into certain charges preferred by guard Patrick Wall, against Chief Guard Beaumont, commenced at the Central Prison on the 20th September:—

PATRICK WALL being sworn, deposed as follows:—I am a guard in the Central Prison; was appointed as temporary guard on the 10th March, 1875 and on the 5th of May was permanently confirmed in the position. On the 5th of September (Sunday), on going into the dormitory in the guard room, I found a lot of clothing, which I thought was placed there as a joke. I threw them into the yard through the window. A short time after, the Chief Guard asked me if I had thrown them out and asked me to go out and pick them up. I said I did, and told him some of the other guards had the better right to do so. I then prepared to go out of the prison, as I was not on prison duty; but on going to the grated door on the south, which is the proper way out, I found it locked, and the Chief Guard informed me I could not go out. I then went back to the guard room, and remained there until 3 p.m., when I went out into the town. I reported the matter to the Warden verbally on Monday, and on Tuesday morning I sent in the written statement now produced and marked No. 1. With respect to the statements made in the paper in regard to the intemperate habits of Chief Guard Beaumont I repeat the same now upon oath. I informed the Deputy-guard Mr Uniacke, and the guards generally, that I reported to the Warden my detention in the guard room, also in respect to the intemperate habits of Mr Beaumont. On Tuesday or Wednesday Guard Uniacke came to me and told me that Mr. Beaumont wished me to withdraw the charges I had made against him in respect of his intemperate habits. I said to Uniacke that I did not care whether they were withdrawn or not, as it was the truth.

On the following morning, after the conversation with Uniacke, he (Uniacke) came again to me and said the Chief Guard wished to see me in the Warden's Office. I went to him, when he asked me what satisfaction it would give me to bring the charge of intemperance before the authorities, if even I could prove it? He said that as far as Toronto was concerned it would ruin himself and family. I told him that I had no apprehension as to the result of a trial; but if the Warden would permit, I had no objection to the withdrawal of the charge of intemperance. On the same evening the Warden sent for me, and in the presence of Mr. Beaumont, the charge of my detention in the guard-room was disposed of by the Warden; but the Warden expressed himself shocked in respect to the charge of intemperance preferred against the Chief Guard, and told me that the charges should have been made twelve hours after the occurrence.

I then came to the conclusion that the Warden believed that I had apprehension of the result of the charge of intemperance made against Beaumont, from the conclusion he arrived at, and from his statement that the charges should have been made within twelve hours after the occurrence.

The first week I was on night duty in the prison, during my temporary appointment, which was on the 25th of March, I saw the Chief Guard in the south corridor about 7 or 8 p.m.; he spoke to me; I then suspected that he was under the influence of liquor. I asked him some questions as to the discharge of my night guard duty, as he did not instruct me, and from his answers to me, I was convinced that he was intoxicated. Having asked him what I should do if I saw a prisoner coming out of his cell at night? he said "Shoot him; put the six barrels into him." I had only a five-chambered pistol. I thought I had no right to shoot a prisoner under such circumstances, as there was a gong to warn and bring assistance. I also smelt liquor upon him. His articulation was changed.

On the 13th April, at 10.05 p.m., Beaumont visited Guard Somers while he was on night duty. I saw him through the grated door.

I saw an entry in Somers' night guard's report, saying, "Visited by Chief Guard at 10.5 drunk." The Deputy-chief Guard, as Somers told me, asked him to erase it. The same night, at about 8, I saw Beaumont, and he was then under the influence of liquor; I judged so from the same evidence as before stated.

On the 24th June it commenced to rain at 4.30 p.m., and the prisoners, who were breaking stone, were brought in and put into their cells without being counted and the cells were not locked; neither of these duties were performed until six, p.m.

The Chief Guard was drunk that afternoon; Mr Uniacke remarked the same thing to me; he talked very thick; the Deputy-chief was absent on leave of absence that day.

On the last week in August, Guards Eames and Dean both remarked to me that the Chief Guard was drunk, which I saw myself. Eames said, "By George, he is pretty full!" and Mr Dean, "He has a good deal in him."

I have frequently seen him drunk on other occasions, but I have not the dates. I never saw him drink any liquor inside the prison; but Guard Uniacke told me that he had drunk liquor with him (Beaumont), upon the prison premises.

He said that somewhere about the scrap shed he found Beaumont drinking whiskey or liquor with some other guards. He said Beaumont offered some to him, and he drank it. I have never with my own eyes seen Beaumont or any other officer or guard, drink liquor upon the prison premises.

With respect to my statement that Chief Guard Beaumont's control over the guards is now merely nominal, I have many instances of it; viz., on the 22nd June prisoners O'Hern, McAllister, Adams, Lee, Day, and Campbell were reported by Guard Somers for laughing and talking; they could not have been reported to the Warden, as no punishment or reprimand followed.

On the same day Guards Hill and Watt reported M'Carty, Lynch, Lee, Slack, Sault, Kelly, Watts, Day, Collins, Williamson and Eyre, for inattention at work and talking, but no punishment was awarded. On the 23rd June, I reported prisoners Walton and McKenvery for laughing and talking at the dinner-table; they were not punished, and I have not seen prisoners since.

Acts are done in the guard-room, such as whistling, talking, dancing, etc., before Beaumont, which would not be done before Mr Steadman, and from which I think that they, the guards don't care for him.

Certain guards can get off doing duty by simply telling Mr Beaumont that other guards come before them when it is really not the case. On the 2nd of May I went off night duty, when I was warned for Sunday corridor patrol, which is from 1 to 6 p.m. I performed the duty. This was prior to the issue of an order forbidding it. I have no evidence or proof that he (Beaumont), neglected to perform his duty in giving orders or carrying out orders to guards, for fear of offending such guards; but I have my opinion that he has.

P. WALL.

CAPTAIN PRINCE, Warden, sworn:—Chief Guard Beaumont informed me, before I investigated into the charges preferred against him by Guard Wall, that Wall had expressed to him a desire to withdraw the charges made against him; but I was not aware that the Chief Guard had, prior to that, been using influence upon Wall, as stated in his evidence, to have the charge withdrawn. As soon as I discovered that, I reported the matter to the Inspector.

W. S. PRINCE, *Warden*.

MAURICE UNIACKE, sworn:—I am guard in the Prison; have been so since its opening. I never told Guard Patrick Wall that I came upon Chief Guard Beaumont drinking liquor with a guard or guards somewhere about the scrap-iron shed, and that I took some liquor myself at the time. I never told Guard Wall any such thing, because it never happened. I never saw Chief Guard Beaumont drink upon the Prison premises; nor I never saw him under the influence of liquor nor I never told Wall that I saw him—the Chief Guard—in that state; I have heard Wall say things about the Chief Guard that convinces me that he has a spite against him.

M. UNIACKE.

Guard MARTIN SOMERS, sworn :—

I have been a guard in the prison for ten months. I was on night duty on the 13th of April last. On one occasion—I don't say when—I made an entry in the night-guard report book, that I had been visited while on night-guard duty by Chief Guard Beaumont at a certain hour, when he was drunk. I showed the report to Deputy Chief Stedman, and he told me there was plenty of time, and to wait. I then erased the part stating that the Chief Guard was drunk when he visited me. I don't remember that I showed the report to Wall, but I told him of having made it; the reason why I made the entry was, that a few days before that I was entered for duty by the Chief Guard out of my turn. I informed him that it was out of my turn, and told him who should come first. He told me that he kept the duty roster and that I must go on. I said "very good," but I wished to see the Warden. Upon that the Chief Guard slapped his stick on the guard-room floor and said that he would allow no one to change his entry. He also called me a grumbling fellow, and said that if I would send in my resignation the Warden would accept it. I was not put on duty that night or the following, although I was detailed. I thought that a man who had been fifteen years an effective non-commissioned officer in the service should have known better than detail for duty out of turn, and therefore I said he was drunk. His manner of speaking on that night and other occasions convinced me that he was drunk. He spoke thickly. I never saw him drink upon the Prison premises, nor no one of the guards ever told me that he was seen to drink upon the premises.

M. SOMERS.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 22nd Sept., 1875.

SIR,—Having heard from some of the guards of the Central Prison, that during the afternoon of the 20th inst. you held an investigation into some charge or charges preferred against me by a guard of the Prison, named Wall, and having the most implicit faith in your sense of justice, I beg to request that I may be informed if such is the case.

I am unacquainted, to a great extent, with the laws of this country, but I presume, as a public servant I have a right to know when an official investigation into the propriety of any of my acts takes place. I am not aware, nor have I been informed, of having been guilty of any dereliction of duty, or breach of discipline of any sort, much less any act that would necessitate an investigation; but I am aware of the fact that the aforesaid guard Wall addressed to the Warden a letter containing some extraordinary charges against me. Guard Wall, at the time, was smarting under the irritation of a censure from me for what I did then and do now consider an unwarrantable act on his part. He expressed his regret for writing the letter the following day, and requested me to ask the Warden to allow him to withdraw it, which I did.

The Warden saw Guard Wall that afternoon, and in my presence informed him that he declined to receive the letter, as it was entirely contrary to the By-laws to accept such unspecified charges, which were also made quite out of the limits of the time prescribed.

I am quite willing, if it is considered necessary, for my acts and mode of conducting the duties of my position to become the subject of either a Government or Public investigation; but I trust, if such is the case, that I may be duly informed of it and made acquainted with the charge or charges preferred against me; and further, that I may be allowed to be present to hear the evidence given against me.

I have the honour to be,
Sir,
Your obedient servant,
JAMES BEAUMONT,
Chief Guard.

The Inspector of Prisons,
Toronto.

SEPTEMBER 23rd, 1875

Re, Complaint against Chief Guard,
Central Prison

SIR,—Referring to your letter of the 15th inst. and my subsequent enquiry into the facts of the alleged misconduct of Chief Guard Beaumont, I have the honour to inform you, that although I do not consider the evidence offered at that inquiry sufficient to warrant any proceedings in an investigation, yet I am convinced that there is some truth in the charges, although proof sufficient to convict the Chief Guard of the alleged misconduct was not forthcoming.

In future I shall decline to make any investigation into such charges unless they are made by yourself and brought officially to my notice as demanding an investigation with evidence as to their correctness.

You will be so good as to hand the enclosed letter to Chief Guard Beaumont.

I have the honour to be, SIR,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

Capt. W. S. Prince,
Warden, Central Prison,
Toronto

Re charge against Chief Guard,
Central Prison.

SEPTEMBER 23, 1875

SIR,—Referring to your letter of the 22nd inst., I have the honour to inform you that certain charges were made against you by Guard Wall, and forwarded to me by the Warden, and that I made an informal enquiry into their correctness, and found that there was not sufficient evidence to warrant my making a formal investigation into the matter.

At the same time, the evidence adduced left no doubt on my mind that the charges were more or less correct, and I would, therefore, beg to reiterate that which is well understood to be a rule of the prison—that drunkenness will on no account be tolerated, and that I should recommend your dismissal should a well authenticated charge be brought to my notice of any such misconduct on your part.

I have the honour to be, SIR,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

Chief Guard Beaumont,
Central Prison.

TORONTO, February 20th, 1876

To the Inspector of Prisons.

SIR,—Some months since I addressed you a communication in relation to the conduct of Mr. James Beaumont, the Chief Guard of the Central Prison. In this letter no specific charge was preferred against him, as no actual evidence in support thereof was available and could be produced by me, but I stated in that letter that the Chief Guard, *owing to his intemperate habits his neglect in not reporting matters connected with the discipline of the Prison* and his *obstructiveness in the performance of duties ordered by me*, together with his *deceptive practices* unfitted him for such a responsible and important position as Chief Guard. I have now to reiterate my former statements, and to add that, from circumstances which have transpired, I consider the present Chief Guard an *obstructive and dangerous officer*. In using the word dangerous, *I mean that he would wilfully commit an action that would not only tend to involve me as Warden, in serious trouble, but bring disgrace upon the Institution. It is the duty of the Chief Guard to correctly keep the Registry of Prisoners,* this *Registry shows the description of the Prisoners, the date of sentence, and expiration of sentence.* These entries are very simple, and with common attention no mistake, except intentionally committed, can possibly occur. The prisoners are discharged by me personally of a morning, the Chief Guard producing a board on which the prisoners names are specified, containing those to be discharged during the month, with the dates of discharge set opposite their respective names.

On the morning of the 8th of January I discharged William Lynch, in accordance with the registered date. Some days afterwards it was reported to me by the Deputy Chief Guard, Mr F Stedman that this prisoner had been discharged before the expiration of his sentence and this proved to be correct; and the circumstance of this wrong discharge was witheld from my knowledge by the Chief Guard.

A prisoner, named Page (a receiver of stolen goods, well known to the Toronto police) was brought into my office dressed for discharge in accordance with the Chief Guard's order on the 12th January last. The Deputy Chief Guard suspecting that his term of service had not expired, prevented his being discharged, and on reference to the copy of the conviction, it turned out that his period of imprisonment did not expire till the 30th of January, although he was registered to be discharged on the 12th. This was never reported to me by the Chief Guard. I have had difficulty in getting my orders carried out by this officer. In fact, upon occasions he has obstructed the observance of them, and instances have occurred in which he has altogether neglected to read my orders to the officers of the Prison.

Dereliction of duty on the part of officers have been, I am convinced, utterly ignored by him, and of course not reported to me. In fact the discipline of the Prison has only been thoroughly maintained from the reports and assistance rendered me by his subordinate the Deputy Chief Guard. It has been obvious to me for the past eighteen months, that the Chief Guard had no moral authority over his subordinates; he is therefore afraid to exercise his official authority the result of his previous misconduct and intemperate habits—all of which the Prison guards are cognizant of.

I have no hesitation in affirming that this officer when on duty in the Prison of an evening, absents himself at times when he should be present in the guard room. He has ever displayed marked indifference to the welfare of the Prison, and to the earnest and systematic labour of the working gangs.

He obstructs rather than encourages, and I feel that his retention in such a position of trust would be prejudicial to the discipline and success of the Institution. I consider him an official not to be trusted,—untruthful, intemperate, deceptive and scheming, and I have no hesitation in saying that he is capable of playing me a false trick at any time. I therefore seriously desire that you will be good enough to bring the matter of this letter under the consideration of the Government, and recommend the removal of this officer from his office as Chief Guard.

In advocating the removal of this official without a directly drawn up charge, supported by the necessary sworn evidence, I would observe that, having been in command of bodies of men for many years, in various trusts and positions, experience has taught me that it is not absolutely necessary, in order to dispense with the services of an undeserving officer, who at any time might forfeit the trust reposed in him, to be compelled to produce witnesses, take sworn testimony, and go into a lengthy investigation, and this is especially defined in the executive administration of the Police Department, where it is often impossible to bring home charges against a wily police officer, who is an adept at evading actual detection in the act.

The only mode left for the executive officer in disposing of such an official, is general impression as to the results of duties performed by him, his sobriety, vigilance, and energy, and conscientiousness in the discharge of duties.

I remain, my dear Sir,
Yours truly,
W. S. Prince
Warden.

P S.—In that part of my statement relating to the conduct of the late Chief Guard, James Beaumont, in not reporting officers, what I desire to convey is that the late Chief Guard abstained from making reports against officers when he had the opportunity of screening offences that came under his personal observation, and that he was otherwise cognizant of such, as officers coming into the guard room intoxicated wrangling and swearing, drinking in the premises, &c. offences which I could not possibly know of, unless they were reported to me and which misconduct more than any other tends to uproot the discipline and respectability of the Prison and its staff

There are a number of offences registered by me in the Officers' Misconduct Book, as having been reported by the Chief Guard, these, however are offences patent to the whole Prison, and taken cognizance of by me immediately such as neglect of duty in allowing a prisoner to escape, "absence from night duty, absence at evening parade for duty, absence from gang duty," all which is known to all the officers at the time, and could not be concealed Action thereon being required at once, in order to carry on the supervising duty correctly

Prisoner Edward Shufelt transferred 2nd August, 1875 sentenced 12 months, should have been discharged on the 24th July, 1876, but registered for discharge 31st July

Wm Procter transferred 8th November 1875 sentenced 6 months, should have been discharged 28th April, 1876 entered in register as to be discharged 27th

Mathew Fowler, transferred 3rd January 1876, sentenced 4 months, registered for discharge 24th April 1876 should have been discharged 27th April.

Francis Bredden, transferred 7th February, 1876, sentenced 6 months, registered for discharge 26th August, 1876 should be 24th July 1876

Alex McKenzie, transferred 7th February, 1876, sentenced 6 months, entered as register to be discharged 17th August, 1876, should be 17th July 1876

Richard Clancy transferred to Central Prison 17th November, 1874, sentenced 18 months, escaped 14th May, over the west wall, registered in the Prisoners Property Book, as having $2.15 by the Bursar, Mr Short, and in the column where the prisoner's name ought to appear as a witness to the possession and registry of the amount, the initials J B, in the handwriting of the late Chief Guard James Beaumont, the property is not forthcoming it should be in the safe at the present time.

W S PRINCE
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &c., ONTARIO,
Toronto, 1st March, 1876.

Re Chief Guard, Central Prison.

SIR,—I have the honour to transmit for your information and instruction a communication received from the Warden of the Central Prison animadverting in the strongest terms upon the character and conduct of Mr James Beaumont, Chief Guard of the Central Prison The charges, as you will observe, most seriously affect the moral and official character of that officer and whether true or false, must completely destroy for the future the good relationship and confidence that should exist between the Warden and the Chief Guard.

That you may the more readily realize the results of this want of confidence, I may state that all the Warden's orders to subordinate officers and guards, pass through the Chief Guard, and during the absence of the Warden from the prison, he acts as Deputy Warden, and as such is clothed for the time being with the full authority of the Warden

The charge preferred against him by the Warden of drunkenness upon the prison premises, has been made on several occasions before, and although not *clearly* proved, legally still I entertained no doubt as to his guilt and warned him that the production of reasonable evidence of his being intoxicated would be followed by instant dismissal Such action became imperative inasmuch as it *had* been *clearly proved* that the Chief Guard had been in the habit of frequenting taverns and drinking in them with the Prison Guards.

The charges that he is deceptive in his character and guilty of practices that render him "an obstructive and dangerous officer and one that would wilfully involve the Warden in trouble and bring disgrace upon the institution ' are of such a nature as only to be properly judged by one coming into daily contact with the Chief Guard, and having his habits and practices under constant observation.

The charge that the Chief Guard has discharged some prisoners before the expiration of their sentences is correct, and is either the result of gross carelessness in keeping the register, or a criminal interest and collusion with prisoners. If due to carelessness only, such explanation and report should have been made to the Warden of the facts, as would have enabled him to guard against a recurrence of the carelessness. This, it seems, the Chief Guard neglected to do.

The charges that the Chief Guard has neglected to carry out the orders of the Warden and on some occasions has obstructed the observance of them, that he has not reported on many occasions dereliction of duty on the part of officers, that he has no moral authority over his subordinates, and that he is afraid to exercise his official authority, owing to previous misconduct and intemperate habits, which are known to the guards, are also of such a nature that they can only be properly judged by one coming in daily contact with the Chief Guard and having him under constant observation.

While I am fully of the opinion that any officer or servant of a public institution against whom charges are preferred, is justly entitled to demand and receive through an official investigation, an opportunity of rebutting such charges, still when the head of the institution and the officer directly responsible to the Government for its discipline and management (more particularly in a prison where the safe custody of prisoners is at stake), deliberately states over his signature as the Warden of the Central Prison does respecting the Chief Guard, " that his retention in such a position of trust would be prejudicial to " the discipline and success of the Institution, that he considers him an official not to be " trusted, untruthful intemperate, deceptive and scheming. It is very clear that if the Warden is to be held responsible for the management and discipline of the Prison, that any subordinate officer respecting whom he finds it necessary to report in the manner he has done in this case, must be summarily dismissed.

I have the honour to be Sir,
Your obedient Servant,
J W LANGMUIR,
Inspector.

To the Honourable, the Provincial Secretary

3rd March.

Re Chief Guard.

SIR,—I have the honour to acknowledge the receipt of your letter of 20th ultimo, preferring certain charges against the Chief Guard of the Central Prison.

You state that owing to intemperate habits, neglect in not reporting matters connected with the discipline, and obstructiveness in the performance of duties ordered by you, together with deceptive practices generally, that that officer is unfitted for the discharge of the responsible and important duties of his position.

You also state that in your opinion he would not hesitate to wilfully commit an action that might not only tend to involve you as Warden in serious trouble, but would bring disgrace upon the Institution. You further state that owing to carelessness in keeping the Register of the Prison (a duty that devolves upon the Chief Guard), that prisoners have been discharged from the Prison upon several occasions prior to the expiration of their sentences, and, that although these irregularities were well known to the Chief Guard, still he failed to report the matter to you, in order that steps might be taken to prevent the recurrence of the same.

You also state that you not only experienced great difficulty in having your orders carried out by this officer, but that upon some occasions he has obstructed the observance of your orders and on other occasions has neglected altogether to read them to the officers of the Prison

You state that dereliction of duty on the part of officers has been utterly ignored by him, and not reported to you and that, in fact, the discipline of the Prison has only been thoroughly maintained by the reports and assistance of officers subordinate to him.

You say that you are convinced that the Chief Guard has no moral authority over his subordinates, and that owing to previous misconduct and intemperate habits—of which the Prison Guards are cognizant—that he is afraid to exercise his official authority over them and that you therefore consider him an official not to be trusted, untruthful, intemperate, deceptive and scheming.

I need not state that under ordinary circumstances, it is the desire of the Government that officers and servants of public institutions against whom charges are preferred should have an investigation into such charges, and obtain an opportunity of rebutting them still when the head of an Institution, and the officer directly responsible to Government for its discipline and management (more particularly that of a Prison, where the safe keeping of a large number of prisoners is at stake), deliberately makes charges that so seriously affect the moral and official character of an officer, and, in consequence, the character of the Institution with which he is connected, it is clear that if the authority and responsibility of such manager is not to be totally destroyed, the officer whom he so unfavourably reports must be dismissed for whether the charges are true or false it is very evident that the good relationship and confidence that should exist between them must be completely destroyed.

When it is considered that all your orders to subordinate officers and guards pass through the Chief Guard, and that, during your absence from the Prison that officer acts as Deputy Warden and is clothed for the time being with the full authority of the Warden, this action becomes the more imperative.

Having laid your communication before the Honourable the Provincial Secretary, who has given the matter the fullest consideration I am directed by him to inform you that the services of Chief Guard James Beaumont are now no more required, and you will communicate to him that, for the reasons set forth in your letter, he has been dismissed from the Central Prison service.

I have the honour to be
Your obedient Servant,
J W LANGMUIR,
Inspector

The Warden of the Central Prison,
Toronto,

Box 605,
TORONTO 9th March, 1876

To the Honourable S C Wood,
Provincial Secretary

SIR,—I have been much surprised by the receipt of an official letter from the Warden of the Central Prison, in which I am informed that in consequence of certain charges having been made against me, the Government have directed my removal from the position of Chief Guard which I have held since the opening of the Institution.

As this step involves not only the loss of my situation, but also my character I am surprised that I should not have been previously informed as to the nature of the charges and an opportunity allowed for an explanation.

I am therefore induced respectfully to request of you, as Secretary of the Province and head of the Department under which I have been serving to cause me to be supplied with a copy of the charges, and further, that the Government will afford me an opportunity of confronting my accusers, with a view to remove the censure implied in the summary dismissal of which I have been so unexpectedly notified.

I have the honour to be, Sir,
Your most obedient Servant,
JAMES BEAUMONT
Late Chief Guard, Central Prison

17th March, 1876.

SIR,—I am directed by the Hon. the Provincial Secretary to acknowledge the receipt of your letter of 9th inst., and to state that the reasons why you were removed from the position of Chief Guard of the Central Prison are set forth in a letter received from the Warden, of date February 20th, inst. In that letter the Warden states that owing to your intemperate habits neglect in not reporting matters connected with the discipline of the prison, obstructiveness in the performance of duties ordered by him irregularity in keeping the register of the prison, neglect in not reading the orders issued by the Warden, overlooking and not reporting offences and misconduct on the part of officers of the prison, and deceptive and obstructive practices generally, your removal was recommended.

While the Government is desirous of giving every officer in the service of a Public Institution an opportunity of rebutting any charges that may be preferred against him, still it is clear that if the authority of the Superior Officer of an Institution, particularly of a prison—is to be upheld, due weight must be given to all charges preferred against his subordinate officers.

When therefore the Warden over his own signature deliberately states that your retention in office for the reasons set forth by him would seriously affect the discipline and management of the prison, it is clear that the good relationship and confidence that should exist between the Warden and his Chief Guard is completely destroyed.

Particularly is this the case when, as you know, the Warden's orders to all subordinate officers and guards must pass through the Chief Guard and that during the absence of the Warden he must act as Deputy Warden. For these reasons the Warden was instructed to remove you from your position as Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
J. W. LANGMUIR.

Mr. James Beaumont,
Box 605, Toronto, Ont.

BOX 605, TORONTO, 22nd March, 1876.

The Honourable the Provincial Secretary, Toronto.

SIR,—I beg most respectfully to transmit to you a copy of a letter I have written to the Inspector of Prisons in reply to one I received from him, written by your directions, and by which I was for the first time made acquainted with the grounds for my removal from the position of Chief Guard of the Central Prison.

I have the honour to be,
Sir, your obedient servant,
JAMES BEAUMONT.

BOX 605, TORONTO, 21st March, 1876.

The Inspector of Prisons.

SIR,—I have the honour to acknowledge the receipt of your communication of the 17th instant, in reply to my letter of the 9th, addressed to the Honourable Provincial Secretary, detailing the charges made against me by the Warden of the Central Prison, and regret that my dismissal was so arranged that this should be the first opportunity of my becoming aware of their nature, or being able to offer any explanation in reply.

1. *Intemperate Habits.*

This habit I deny, and beg to state that, though not a total abstainer, I have never while an officer in the Prison been in the least incapacitated from the proper performance of every duty required of me, day or night, in consequence of intemperance. Further, when I entered the service of the Central Prison it was with the full understanding that any single act of intemperance would be dealt with in the manner adopted in the Army, Navy and Convict Service of Great Britain, viz., that the Warden would call a witness to the fact and suspend me for dismissal, as a matter of course immediately following—this has never been done nor have I ever been charged with intemperance by the Warden.

2. *Neglect in not Reporting to the Warden, &c.*

With regard to the accusation of neglect in not reporting to the Warden matters connected with the discipline of the Prison. I distinctly assert that I am entirely unconscious of any neglect in this particular, certainly none that would be deemed matters of importance by any *impartial judge*.

It is true that I suppressed one report made to me of insubordination of prisoners in one gang, as the cause of it arose from the alleged conduct of the Warden.

3. *Obstructiveness in the Performance of Duties*

This I must again deny any consciousness of, unless it refers to matters connected with the domestic arrangements of the Warden's house, the written orders for which I now hold, to be produced when required, having always felt too much interest in prison affairs to have offered the slightest obstruction at any time.

4. *Irregularity in Keeping the Register*

In reply to this I have only to remark that from the opening of the Central Prison to the day I left, no person ever made an entry in the Prison Register but myself; that it lay open every day, without exception in the Warden's office for his inspection, and on no single occasion has there ever been the slightest fault found with its correctness or its completeness. Surely if any neglect existed in this matter it was not unreasonable to expect that my attention would have been called to it by the Warden, especially when he was fully aware of the various other calls upon my time and attention. Referring to an error I made in computing the time of a man named Lynch, by which he was discharged some days previous to the expiration of his sentence, I may state that I reported the mistake to the Warden immediately I discovered it—four days after. This man's sentence was among the first I had to calculate after taking up that duty, and I believe is the only case in which any mistake on my part was not discovered in time to prevent any unfavourable result.

I may take this opportunity of drawing your attention to the fact that, although paragraph 74 of the by-laws fixes the duty of the Chief Guard *to see* that the books, &c., in the Warden's offices are properly kept, the additional duty of *doing it* was imposed upon me through assistance in the shape of a prison clerk being forbidden by the Warden, and no other provision made. The variety of other duties laid out for the performance of the Chief Guard most seriously interfered with that uninterrupted attention which is so essential to the correct keeping of books of any kind, and I referred to this in my letter to you of the 16th October last.

5. *Neglect in not Reading Orders Issued by Warden.*

I emphatically deny that I was ever guilty of neglect in reading any of the orders of the Warden, the whole of the orders having been read by me at the time of publication with the exception of one or two which the Warden himself verbally informed me need not be read, and to which I can refer to from memory when called upon.

6. *Overlooking and not Reporting Offences of Officers.*

In this matter I cannot recall any case of neglect on my part, which in the reasonable discretion to which the officer in my position was justified in exercising.

Had I reported all reports made to me during my service in the Central Prison, serious scandals might have been brought to notice, which, for the credit of the prison, I deemed it my duty to suppress.

I am happy to be informed that the Government is desirous to give every officer in the service of a public institution an opportunity of defending himself and I trust they will extend the same to me by instituting a full and *impartial* investigation of the alleged charges, and while giving full weight to the charges preferred by the Warden, that their weight shall only be estimated by the facts which may be established by evidence.

I have been fully aware that nearly ever since the opening of the Institution, a junior officer of the prison has had the ear and confidence of the Warden, and has boasted that he would have me removed and secure my position, and am firmly convinced that the Warden has been largely influenced by his misstatements, and has been induced in consequence to use his influence for my removal, but I had great confidence that no dismissal would take place without an inquiry into the facts, when I knew the truth would be made apparent, and the evident desire of the Warden to place in my position one who enjoyed more of his confidence, whether deservedly or otherwise.

I am fully aware of the importance of a good understanding existing between the Warden and his Chief Guard and had the only ground for my removal been based on this fact and been so represented to me by you, without the charges detailed above, it would have been different, but when I consider that as Deputy Warden I conducted the business of the prison in such a manner during his absence in 1874 as to secure his unqualified approval, and again during his prolonged absence in 1875, with a similar result, and I believe also entirely to your satisfaction, and having given all these circumstances my mature deliberation, I most respectfully and earnestly request that a full and *impartial* enquiry may be instituted and that I may not be dismissed with an undeserved stain on my character, which must necessarily prevent my securing other employment, upon which the welfare and comfort of my self, wife, and family in such a large degree, are dependant.

I have the honour to be, Sir,
Your most obedient servant,

JAMES BEAUMONT,
Late Chief Guard Central Prison.

TORONTO, 25th March, 1876.

SIR,—I have the honour to acknowledge the receipt of your letter of 31st inst., which I have transmitted to the Hon. Provincial Secretary for consideration and instructions.

I have the honour to be, Sir,
Your obedient Servant,

J. W. LANGMUIR,
Inspector.

MR. JAMES BEAUMONT,
Box 605 Toronto, P. O.

28th March, 1876.

SIR,—I transmit herewith for your perusal a letter received from Ex-Chief Guard Beaumont.

You will observe that he denies most of the charges preferred against him.

You had better deal with the denials in the order in which they are placed and give instances. This report is asked for, for the information of the Government, not with a view of communicating its contents to Mr. Beaumont.

I have the honour to be, Sir,

Your obedient Servant

J. W. LANGMUIR,
Inspector.

The Warden, Central Prison, Toronto.

PROVINCIAL SECRETARY'S OFFICE TORONTO,
March 29th, 1876

SIR,—The Inspector of Prisons has been instructed to send a copy of your letter to Capt. Prince, and when we receive his reply will determine what course to pursue

I have the honour to be, Sir,
Your obedient Servant,
S. C. WOOD,
Secretary

Jas Beaumont, Esq,
Box 605, Toronto

Re Communication of Ex-Chief Guard James Beaumont.

March 30th,

To the Inspector of Prisons &c.

SIR,—I have the honour to acknowledge the receipt of your letter of the 29th instant, enclosing a communication addressed to you by the late Chief Guard of the Central Prison. To this letter I shall send you a reply with as little delay as possible; in the meantime I return the letter without loss of time as desired.

Your obedient Servant
W. S. PRINCE,
Warden.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C. OF ONTARIO,
TORONTO: 28th April 1876.

Re Ex-Chief Guard Beaumont.

SIR,—Referring to the communication of this dismissed officer, addressed to you, asking to be furnished with the reasons why he was released from duty, I beg to state that I transmitted the letter to the Warden and I now have the honour to forward to you his reply which affords an additional evidence of the necessity that existed for discharging Mr Beaumont from the Central Prison service

Be good enough to return the letter for filing in this office

I am, Sir
Your obedient servant,
J. W LANGMUIR,
Inspector

The Honourable Provincial Secretary.

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 21st April, 1876.

To the Inspector of Prisons, &c.

SIR,—In reference to your letter enclosing a communication from the late Chief Guard Central Prison in which he denies the truth of my representations as to his unfitness for office, from his intemperate habits and other reasons adduced by me I have the honour to inform you, that the best proof in support of the correctness of my statement to you is the discipline, correctness and harmony that has pervaded every branch of duty since the 9th of last month, the date of the late Chief Guard's removal, but I shall deal with his denials *seriatim*; and first as to his denial of intemperate habits —Mr. Beaumont has been frequently under the influence of liquor which has been patent to every guard in the Prison Upon one occasion he *was sitting upon a chair* in the north corridor, between 3 and 4 p. m., so much under the influence of liquor as to be clearly observable, and remarked by the guards Upon one evening whilst in this state he had the prisoners rung down from the corridors *twenty minutes* before the arrival of the working gangs from the yard for the "evening counts" Numbers of other cases could be enumerated and witnesses produced in evidence thereof But I may state, that on the evening previous to his removal (the 7th March), while taking the 'evening counts' *in my presence*, the late Chief Guard was so much under the influence of liquor that had I not just received the communication containing his dismissal, I should have suspended him, and dismissed him off the premises.

Neglects in not Reporting.—This he also denies I have to state that the late Chief Guard *never* reported an officer since his appointment to office. The guards did in the guard room in his presence, whatever they chose. In defiance of my orders he would walk up and down the guard room, whistling and singing of a night, so much so as to attract the attention of the corridor night patrols, while the guards would quarrel and wrangle in an unseemly manner without check As I have stated in my reports to you, he would when on duty and in charge leave the Prison and remain away for hours. Upon one night the Deputy Chief Guard, on returning to quarters at 7 30 p m (unexpectedly), as it was his evening on leave, heard the hospital bell ring; finding it was not replied to by the officer on duty (Mr Beaumont) he himself went up, and found that one of the patients had been taken suddenly worse The late Chief Guard was not forthcoming, and did not return to the Prison till 9 40 p m, just before lights out, but as regards this practice, I can produce sufficient evidence to prove that it was constantly carried out, and so little regard had he for the discipline of the Prison and the execution of orders that I have left for the city at 5 p m, leaving the late Chief Guard as the officer on duty in charge for the evening and that he, as soon as I had gone, *left also*, so that the Prison was of an evening left without the *supervision of a single superior officer*. Orders were issued by me for all the guards to be paraded and inspected by the Chief Guard prior to their mounting duty of a morning, in order that he might see that they were properly equipped, and correct in every respect This duty I found was entirely neglected, and my detection of this neglect originated in one of the guards having left a loaded pistol in the dormitory, which had actually been taken possession of by a prisoner and hid away by him in a cell, and this guard never reported the absence of this pistol for eighteen hours, nor did the Chief Guard know anything about it. Upon another occasion, Prison Guard Henry Langman, who was one of the guards for *wall* duty on the morning of the 7th of June last year, was passed by the late Chief as correct and fit for duty, *when he was drunk and unfit for duty*, and his being in this state was accidentally discovered by the Deputy Chief Guard on his proceeding to his post, and Guard Langman was dismissed The late Chief Guard remarks "That he cannot recall any case of neglect which an officer in his position was justified in exercising, and also states that if he had reported all things during his service scandals might have been brought to notice which for the credit of the Prison, he deemed it his duty to suppress" My orders to him from the day he was sworn in were that all things connected with breaches of discipline and the rules and regulations of the Prison were to be reported to me by him personally I have cautioned him time after time upon carrying out this order to the very letter, and to be most particular in observing and reporting to me upon the conduct of the officers in the guard room. If he had obeyed these orders, the scandalous behaviour which was afterwards elicited upon your investigations—such as smuggling liquor into the Prison premises, tippling, intoxication, and the use of foul language, coupled with other conduct unbecoming the character of Prison guards—could never have taken place, all that the late Chief Guard must have been cognizant of the performance in many instances taking place under his own eyes, and then he attempts to justify himself in the suppression of the information from me.

Irregularity in keeping Register.—The two cases in point, quoted in my communication are sufficiently glaring to admit of no denial these cases were never reported to me by the late Chief Guard. Upon my charging him with neglect in causing Lynch to be discharged before his time, he stated that it was the fault of the Bursar who endorsed the convictions and notes for the register at the time that Lynch was transferred Now the register is wholly in the late Chief Guard's own hand writing, and the entries must have been made from the copies of the convictions, and transfer returns to the Bursar had nothing to do with making the entries in the register book The Prison Clerk alluded to by him was brought into my *office to assist the Bursar* in making up his books and accounts this prisoner had nothing to do with the late Chief Guard or with the books and returns that it was his duty to keep and make up, and which a couple of hours application a day on his part, would have sufficed to have kept filled up, and correct. Another instance of these irregularities (to use the mildest term) has come under my observation during *the last fortnight*, in prisoner Stephen Collins, being registered to be discharged on the *7th of April* whereas on reference to the copy of conviction, I found it to be the 27th April, on examination of the register again the scratching out of the 2 before the 7 is as clear as noon-day.

Obstruction.—To show you what little dependence I could place upon him and his desire to obstruct me in duties entailing great annoyance to me as "Warden," I have to state that on a Saturday I informed the Bursar that it was my desire that he should be present at the measuring of the stone, and that information should be sent to him when a pile was in readiness. The Contractor Godson came into my office shortly afterwards stating to me that the Bursar had left his office, and expressed a hope that I would allow him, the first thing Monday morning, to commence and haul away from a pile of stone that was in readiness for measurement, and that he would come up early on Monday when the Bursar was present and have the pile measured, accounting for the loads that had been taken away. I complied with his request, and instructed the Chief Guard *personally about it in the presence of the Contractor*. Upon Monday morning at 9 10 a.m. I was out in the front grounds conferring with the Deputy Chief Guard upon steps to be taken for the prevention of another flood, which the rise of water threatened. I shortly afterwards went into the office and remained there till 10 a.m. I then returned to my quarters till 10 30 and during that time noticed the contractor driving out through the front gate. Immediately afterwards I remarked to the Chief Guard, that the contractor had been here. He replied yes, sir, *he came to see the Bursar*, as he could not take away his stone in his absence, and the Bursar has not come. Shortly after I discovered that the contractor had naturally enough asked to see me, when Mr Beaumont coolly informed him "that the *Warden did not wish to be disturbed*." I have recently found out that he frequently replied to gentlemen coming from the City and Yorkville, to see me, in the same tone. The late Chief Guard complains that a subordinate officer *had my confidence*. True, the Deputy Chief Guard had my entire confidence, which was transferred from Mr Beaumont a few months after the latter had been sworn in, as I soon found out that the late Chief Guard was not to be trusted, and well has Mr Stedman fulfilled the trust reposed in him, for by his watchfulness, truthfulness and energy, in the discharge of duty, he has rendered me very important service, counteracting to a great extent the evil influences upon the welfare of the Institution, endangered through the appointment of such a character as the late Chief Guard, to such a position of trust. In the beginning of last year when there were about 330 prisoners in the Central Prison, and no employment for them but drill, and but few guards, a report was circulated that an attempt would be made to escape, and that assistance was expected from outside, of course I felt very uneasy, especially at having so large a number of prisoners with no employment to keep their minds occupied. Upon my visiting the Prison at a late hour one night, and passing through my office I happened to open the drawer of a little table which stood against the south window, to look for a pencil, this drawer was not locked, and you may imagine my surprise when I discovered lying in this drawer the keys of the "Prison Proper," so that any one might have opened the window which is not barred, taken the keys, entered the Prison and attacked the south corridor night guard. This culpable or perhaps wilful negligence, the late Chief Guard had been in the habit of committing for nights before it was discovered. Since the man's removal, the general management of the duties of the Central Prison has been conducted most satisfactorily to me, the strictest discipline combined with harmony prevailing in every branch of duty under the Executive Administration of Mr Stedman the Deputy Chief Guard, assisted by Guard Edwin Newton, an intelligent retired Non-Commissioned Officer of the Royal Artillery.

I have the honour to be, Sir,
Your obedient servant,
W. S. PRINCE,
Warden.

Box 605 Toronto, 3rd May, 1876.

The Hon. S. C. Wood
Provincial Secretary

SIR,—Referring to the contents of your letter of the 29th March last, I beg to draw your attention to the fact that I am still waiting the result of your communication to the Warden of the Central Prison.

In my letter addressed to you on 21st March, I begged you would grant me an investigation into the alleged charges that formed the ground of my dismissal

I now respectfully renew that request, accompanied with the hope that it may take place at an early date

An additional inducement exists for me to urge this request, in the fact that it has come to my knowledge that Captain Prince has made scandalous and unjustifiable assertions about me, and my only reason for not taking legal notice of the same directly it came to my notice, was the fact that I was led to hope that an inquiry would take place into the truth or otherwise of the statements that brought about my unexpected, and in my opinion, undeserved dismissal

I have the honour to be, Sir,
Your obedient servant,
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
TORONTO 10th May 1876

SIR,—With reference to your letter of the 3rd inst., I have now the honour to transmit herewith, copy of the charges preferred against you by the Warden of the Central Prison, Toronto, when acting as Chief Guard of the said prison.

I have the honour to be Sir,
Your obedient servant,
I R. ECKART,
Assistant Secretary

Mr James Beaumont,
Box 605, P O Toronto

Box 605, Toronto, 13th May 1876

The Hon. S. C Wood,
Provincial Secretary.

SIR,—I have the honour to acknowledge the receipt of your letter of the 10th inst., enclosing a copy of the reply of Capt Prince, to my previous statements on the subject of my dismissal from the position of Chief Guard of the Central Prison, and in reply I beg to state that the charges preferred therein are quite capable of being disproved by documentary or oral evidence before any impartial tribunal their falsity proved, and the animus which prompted them made clear

Among the reports suppressed, with which the Warden charges me, was that of a guard in charge of a gang of prisoners, who complained that he (the guard) was unable to control his men and keep them from laughing and talking in consequence of the Warden appearing before them in plain clothes, with his hat on the back of his head, and so much under the effects of liquor as to become the laughing-stock of all in sight.

With this, as one example of what can be established on a proper inquiry, I beg, in conclusion to state that when I received my appointment, it emanated from the Government and not from the Warden, and I did not for a moment suppose that they would allow my dismissal and my character to be vilified on the unsupported statements of any individual, without an opportunity being afforded of proving their correctness.

A reluctance to believe that such would be the case has led to my remaining under the stigma as long as I have, in the hope that I would be afforded the opportunity of disproving the accusations made against me, without bringing the matter before the public.

As, however, two months have now elapsed and still feeling that the means adopted to secure, and the mode of carrying out, my dismissal, were at variance with the Statute and the rules laid down, I again most respectfully but earnestly urge that a full and impartial inquiry may take place, and that I may be allowed to *employ counsel* to assist me in the examination of witnesses to prove the incorrectness of the charges made, and vindicate my character which has been so cruelly traduced, as to prevent me either obtaining any other of the vast number of situations of which the Government have control, or obtaining employment in any respectable house of business in a city in which it is my desire with my family to remain. I respectfully ask the favour of an explicit reply to my request for an investigation and on the conditions named above, failing the receipt of which, I cannot be blamed afterwards, for taking such steps as I may deem best, to remove the stigma cast upon me even if it should be the means of bringing to light many things, which for the interest and credit of those concerned, would be better to remain in the shade.

I have the honour to be Sir,
Your most obedient servant,
JAMES BEAUMONT

PROVINCIAL SECRETARY'S OFFICE, ONTARIO
TORONTO, 16th May 1876

SIR,—I am directed to acknowledge the receipt of your letter of 13th instant and to inform you in reply that your application for an investigation into the charges made against you, when in the capacity of Chief Guard of the Central Prison, will be granted, and a date for holding the same fixed on the return of the Inspector of Asylums from his present tour of inspection.

I have the honour to be Sir,
Your obedient servant,
I. R. ECKART
Assistant Secretary

Mr James Beaumont, Toronto.

BOX 605, TORONTO, June 7th, 1876

The Hon S C Wood,
Provincial Secretary

SIR,—Referring to your letter of the 16th ult., informing me that an investigation into the truth of the charges preferred against me by the Warden of the Central Prison, would be granted, I have the honour to request that the said inquiry may take place at as early a date as practicable, and that I may receive due notice of the day fixed

I have the honour to be,
Sir,
Your obedient servant,
JAMES BEAUMONT

BOX 605, TORONTO, July 3rd, 1876

The Hon. S. C. Wood,
Provincial Secretary

SIR,—I have the honour to draw your attention to your communication to me of the 16th May last informing me that an investigation should take place on the return of the Inspector from his present tour "into the truth or otherwise of certain statements made by the Warden of the Central Prison, which formed the grounds for my dismissal from the post tion of Chief Guard, without any opportunity being afforded, of refuting the charges made against me.

I beg now most respectfully to state, that I have hitherto refrained (to my own disadvantage) while waiting the promised enquiry, from seeking other employment, and as I cannot afford to do this much longer, I respectfully request you will at once adopt such steps as you may deem expedient to bring my case to an issue without further delay, in reminding you that it is now four months since my first appeal

I have the honour to remain,
Sir,
Your obedient servant,
JAMES BEAUMONT

Box 605 TORONTO, October 5th, 1876

The Hon. S C Wood,
Provincial Secretary

SIR,—Referring to previous correspondence and our conversations on the matter of my dismissal from the position of Chief Guard of the Central Prison and particularly to my letter of the 13th May last, in which I request the privilege of employing counsel, on an investigation I beg to state that having duly considered your promise to personally conduct the same whenever it took place, and having also consulted friends in whom I have the most implicit confidence, I am fully impressed that the interests of justice and myself will be equally attained by leaving the matter entirely in your hands

I will therefore abandon the idea of employing counsel and trust you will give this subject your attention as early as convenient.

Your obedient servant,
JAMES BEAUMONT

INVESTIGATION INTO CHARGES MADE AGAINST JAMES BEAUMONT, LATE CHIEF GUARD OF CENTRAL PRISON

13th October, 1876

WILLIAM STRATTON PRINCE, sworn —Am Governor of the Central Prison, was appointed in July 1873, formerly for fifteen years chief of police for City of Toronto

As far as my memory serves me, Mr Beaumont never reported to me He may have done so on a few occasions The Deputy Chief Guard made the reports

Things came out in the investigation held by Mr Langmuir in the fall of 1875 which proved that Mr Beaumont was cognizant of conduct detrimental to the interests of the Institution such as wrangling and quarrelling on the part of the guards and did not report to me. I may state that he never reported an officer to me The guards did in the guard room in his presence just what they chose, such as walking up and down the guard room, whistling singing at night He himself would also do this the guards wrangling in an unseemly manner without check leaving the Prison for hours together when in his charge. One night the Deputy-chief Guard was returning to quarters at half past seven unexpectedly, as he was coming off leave. The hospital bell rang, and he, finding it not replied to by the officer on duty (Mr Beaumont), went up himself and found the patient much worse.

I put in letter marked ' A, containing the statement just made as well as other charges, and would state so far as want of discipline in the guard-room is concerned, they were reported to me by others

On the evening of the 7th March last, while taking the evening count, I considered the Chief Guard to be so much under the influence of liquor that if I had not received his dismissal I should have suspended him I considered the Chief Guard under the influence of liquor past one o'clock in the morning, on the occasion of the concealment of prisoner Spackman, on 28th September, 1875 He was instructed to have relieved the Deputy Chief Guard at midnight. I found that it had not been done, and I went for the purpose of finding out

where the Chief Guard was. I found him asleep on his bed; I called him up and sent him to duty.

I questioned the Deputy Chief Guard as to the cause of his leaving without being properly relieved. He stated he had called to the Chief Guard and could get no answer; he said the Chief Guard was lying on his bed. When I say under the influence of liquor, I do not mean that he was incapacitated for duty, but that, as Chief Guard, he should not have been in the state I found him. I have frequently noticed that Mr. Beaumont was under the influence of liquor in the day time, but he was not drunk. It came under my notice that he would at times leave the prison keys in the office instead of being placed in the armoury. I found the keys one night in the drawer in my office, and the drawer not locked.

Statement "A" put in by me, is correct as far as matters came under my personal notice, and when it refers to matters not coming under my personal observation, is correct as reported to me.

W. S. PRINCE.

RICHARD STEDMAN, sworn.—Am Acting Chief Guard; held the position of Deputy Chief Guard up to 8th March last. I have seen Mr. Beaumont under the influence of liquor several times. The first time I saw him was at mid-day count, about seven or eight months after the Prison opened. I went up to my room to find the Chief Guard, and found him lying on the lounge in the room. I asked him what was the matter, and he replied he felt sick, and told me to go to the Hospital and get the Hospital Guard to give him something; I can't say what it was, I brought it down and gave it to him, put a rug over him, and he went to sleep. I judged by his manner of speaking, his appearance, and the smell of liquor, that he was intoxicated.

Another time, in June, 1875—I cannot give the date—he was sitting in the corridor as I passed through; Mr. Newton was present; I thought Mr. Beaumont was intoxicated and called Mr. Newton's attention to it; it was between three and four o'clock in the afternoon. The night that prisoner Spackman hid himself away, in September, 1875, I found him at midnight in his bedroom lying on the bed. I went up to him and spoke to him. He sat up in the bed and said he would be out in a minute and relieve me; thought he was intoxicated from his appearance and the smell of liquor. I have seen him several times more or less under the influence of liquor, generally towards the evening.

On one occasion last year, I can't state the day or month—he rang the prisoners down from their cells to tea at twenty minutes to six; his appearance at that time indicated that he was intoxicated.

The rules and regulations put in, marked "B," were approved of 1st June, 1874, and the rules, &c., marked "C," were approved of 19th April, 1875. I have heard whistling and singing in the guard room several times, and have heard Mr. Beaumont himself whistle and sing in the guard room; have reported several times the singing and whistling on the part of the guards; latterly I ceased reporting as nothing was done to stop it. I have frequently, when in my room, heard the guards disputing and talking loud in the guard room, Mr. Beaumont being present and on duty. I don't know that I knew the guards to discuss politics in the guard room in Mr. Beaumont's presence. Guard Wall came home drunk one night, I cannot state the time, and was not reported by Mr. Beaumont. Mr. Beaumont was in the guard room and on duty when Wall came in. Wall was so drunk that he got up and made his water on the bed next to him. On the afternoon of the 14th July, 1876, I came through the corridor and found a prisoner named Newbold under the influence of liquor. I told him to go up to the hospital; he refused to go, stating that the Chief Guard told him to stay down. I then put him up to the hospital; I reported him to Mr. Beaumont as being drunk. Mr. Beaumont ordered him to be placed in the dark cell until the return of Captain Prince; it was my night off duty, and when I came back I was told by one of the guards that Newbold had been taken out of the dark cell up to the hospital. I spoke to Mr. Beaumont about it the next morning, and said I did not think it was right; he told me that he was Chief Guard and that I had nothing to do with it; I told him I would see the Warden about it. I spoke to the Warden about it, who ordered Newbold to be placed 56 hours in a dark cell for that and another offence, which other offence was fighting with prisoner Stanlan.

At different times, I have when off duty, and Mr. Beaumont supposed to be on duty, known the guards to be absent who should have been on duty; for how long, I cannot say; one night at ten minutes past nine, I saw Mr Beaumont, who should have been on duty Guard Dougherty and Guard Bollard coming out of Higgins tavern, I cannot remember the day or month, it was about a month or two before Bollard was dismissed, I did not report it

Adjourned until 2 P M

Resumed at two P M —Evidence continued

R. STEDMAN —I came home one night in April, 1875, I heard some knocking up stairs at the hospital gate, and finding it continue, I got up. I went to the hospital and found prisoner Philip Williams, who had taken an overdose of medicine, lying on the floor I went to the guard room to find the Chief Guard Mr Beaumont, could not find him in the guard room I then went to the office and he was not there I then went back to the prisoner and got him on to the bed, between half past nine and ten Mr Beaumont and the hospital guard came to the hospital Mr Beaumont should have been on duty that night as it was his night on and my night off When I came home there was no officer in charge owing to Mr Beaumont's absence

I have frequently come home at nights, when Mr Beaumont should have been on duty, and found that he was absent. I know he was not in, as he would afterwards come into the prison This would take place sometimes when Captain Prince was away On the sixth June, 1875, I reported Guard Henry Longman for being absent without leave, and for being unfit for duty from the effects of liquor The entry in the officers misconduct book now produced, was made by Captain Prince on my report The Chief Guard had passed him, Longman as fit for duty and marched him off for duty Guard Longman came to me with his rifle in his hand, and said he was not fit for duty, that if he went on the wall he would fall off He was not sick he was drunk, he had been out all night. Mr Beaumont came to my room, I told him that Longman was drunk, he called him back to the guard room and think he sent another guard in his place. I reported to the Warden and he was dismissed for being drunk.

Orders issued by Captain Prince are written in the order book, and the rules require they should be read to the Guards by the Chief Guard, on several occasions this was not done. I cannot name them now except one, when Guard Newton was to take my place during my absence on leave. This order I was informed by Guard Newton was not read. I have seen the keys lying in the drawer in the office and the drawer not locked, keys leading into the prison proper and from there out into the yard. I did not report it. The keys were not in my charge and having been told by Mr Beaumont on other matters that it was none of my business, I did not interfere with the keys. At the evening count, the keys are collected by the corridor guards before the Chief Guard and then placed in the armoury As acting Chief Guard my duty is to see that the front door key and all other prison keys are locked up in the armoury About the 12th January 1876, prisoner Page was about being discharged, and I discovered that his time was not up—from Guard Gifford I reported to Mr Beaumont, and on examination of the register he found that his time was not up and sent him back, his time was up on the 30th January 1876, and he was discharged on the 30th, and Guard Gifford called my attention to fact that prisoner Lynch was discharged before the expiration of his sentence. The entries in the register and the prisoners discharge book now produced showing that prisoner Lynch was discharged at the expiration of his sentence, are incorrect. The copy of sentence now produced shows that he was to serve eight months from the 21st May 1875, and should have been discharged on the 20th January 1876, and should not have been discharged on the 7th. Prisoner Stephen Collins was entered in the register book as sentenced for two years and that term would expire on the 7th April 1878, the copy of sentence now produced shows that his sentence was terminated on the 27th April, 1876. I have found several irregularities in the Register

Cross examined by Mr Beaumont.

It was the custom when Mr Beaumont was Chief Guard and is now, five minutes before the gangs are marched in to bring the prisoners down who may be in the corridors I have no recollection of ever having entered Mr Beaumont's name on the Report Books, I don't know of any order in existence requiring the Chief Guard to remain in the guard room during the time he is in charge of the Prison the Pursar keeps the keys of his own department, the Warden has three keys, one for the outside grated gate, one for

blind door inside the grated gate, and one for the door leading from the dining hall into the yard; these keys are not locked up in the armoury, but are kept by the Warden.

Page was admitted into the Prison on 2nd February, 1875

Lynch on 28th May, 1875

Collins, on 3rd June, 1874

RICHARD H STEDMAN

EDWIN NEWTON sworn —I was appointed Guard 5th July, 1874, have acted as Deputy Chief Guard since 8th March, 1876 About September, 1875, Mr Beaumont came into the north wing and sat down and was talking about some matters connected with the north wing; Mr Stedman came in, and in a few minutes afterwards Mr Beaumont went out, after he went Mr Stedman remarked to me that Mr Beaumont had just about as much as he could carry, I did not see anything in Mr Beaumont's appearance or in his conversation that would lead me to believe that he had got as much as he could carry, or that he was intoxicated

I recollect the prisoners were formed up one day about twenty minutes before the regular time, I saw Mr Beaumont before six I thought he was sober, he was certainly confused, and there seemed to be something wrong.

Cross examined by Mr BEAUMONT —Since I came to the Prison, up to March, 1875, when an investigation took place I never saw any signs of drink on Mr Beaumont, after that, I did, at different times, see signs of drink on him; but in my opinion he was always fit for duty, I could not see any difference so far as his attention to prison duties were concerned, I have never known that Mr Beaumont absented himself from the Prison when he ought to be on duty The evening before Mr Stedman went away on leave, Mr Beaumont came to me and said the Warden had put me in orders to perform Mr Stedman's duty during his absence, and that in addition, the Warden required me to take charge of the north wing I have never, myself when not in the guard room heard Mr Beaumont either singing or whistling in the guard room, I have, when in the guard room with Mr Beaumont heard him humming a tune and whistling but not loud and not to interfere or disturb any one in the guard room or prison I don't recollect that Mr Beaumont neglected at any time to collect the keys at evening count.

E. NEWTON

DANIEL CUNNINGHAM, sworn —I am cook and baker of the Central Prison, I was appointed on 8th May 1875, I remember the Warden being called away to attend his brother's funeral in July last, the night the Warden was expected home, I saw Mr Beaumont standing first at the Warden's door, and then at the south door of the Prison, I thought he was under the influence of liquor, I did not speak to him I judged from his appearance I cannot state the time; it must have been after eight o'clock in the evening.

D CUNNINGHAM.

DANIEL KIRKPATRICK, sworn —I am Prison Guard, I was appointed on the 11th September 1875, on the 12th February 1876 I saw the late Chief Guard about 8 30 p.m., he was strongly under the influence of liquor; he was on duty, his appearance and manner led me to believe him strongly under the influence of liquor, a little before ten the same evening I saw him, and he was drunk, I saw him going into his bedroom and he staggered, he should have received the keys from me and other guards, but did not; Guard Dean received the keys no person but Guard Dean was present, I never saw Beaumont drink any liquor in the Prison grounds I have seen Mr Beaumont at the front gate of the grounds when on duty I have seen him go out of the building when he was on duty, but whether he absented himself I cannot say

Cross-examined by Mr BEAUMONT

I don't remember of hearing Mr Beaumont whistling I said it was the duty of the Chief Guard to receive the keys at night, I judged so, as it was the constant custom then and is so still

DANIEL KIRKPATRICK

SAMUEL DEAN, sworn.—Am Prison Guard; was appointed in May, 1873; I remember the 12th February, 1875; I saw the Chief Guard that night; I was guard on duty in the guard-room; at ten o'clock at night I went to Mr Beaumont's room and found him in bed and asleep; I tried to wake him; I wanted to tell him I was going to lock up the front doors; he did not wake up; I then went down and locked the front door, and then received from Guard Kirkpatrick the key of the south corridor door, and locked the grated door and kept the key; I went to go into my own room, and by that time Mr Beaumont was up, and he stood in his bedroom door and he asked me if I had locked up; I could not say whether he was under the influence of liquor or not; I saw Mr Beaumont on the 21st June, 1875, on the day of the escape of the prisoner from the rear grounds; Mr Beaumont was on duty; I saw him after ten at night; I was south corridor Guard at the time; I thought he was under the influence of liquor; I judged so from his general appearance and conversation; that night Guard Hardie, who was night guard, was out of the Prison; I let him in at half past twelve, when the bell rang; I thought it was the Bailiff, with prisoners, and on going down, found it was Hardie; he should have been on duty from six p.m.; I did not know he was out until I saw him at the door.

Cross-examined by Mr BEAUMONT:

I never knew Mr Beaumont to whistle or sing in the guard-room to such an extent as to attract the attention or disturb the guards; I never heard any wrangling or quarrelling in the guard-room when Mr Beaumont was present, during the time he was Chief Guard.

S. DEAN.

Adjourned till 10·30 to-morrow.

Investigation re-opened, Tuesday, 31st October, 10·30 a.m.

Mr Beaumont called Captain Prince.—Captain Prince produced officers' offence book, in which, on 12th June, it appears that Chief Guard Beaumont reported the following officers:—1st, Alfred Elliott, 12th June, 1872; 2nd, Michael English, on the 28th October, 1874; 3rd, William Dougherty, 8th October, 1874; 4th, Daniel McCarty Stewart, 24th October, 1874; also, same person, 26th October, 1874; 6th, George Muller, February 13th, 1875; John Powell, 19th February, 1875; Michael English, 28th June, 1875. Order book produced. In order issued 12th April, 1875, the following order appears:—"The Chief Guard shall reside upon the premises, occupying the room set apart for him in the guard-room, which is the south room."

The following order appears under date of August 17th:—"Persons are not to be allowed to loiter and wait about the prison grounds and offices, with a view of seeing the Warden or other Prison Official; in case the presence of the officer inquired for is not at the time available, the inquirer is to be instructed by the guard to leave a message or memorandum as to his business, and then leave."

W. S. PRINCE.

WILLIAM HARDIE, sworn.—Am night guard and stoker for the Central Prison; was appointed two months after the prison opened. I remember the 21st June, 1875, when three prisoners escaped from Guard Mansell. I was sent by Deputy Chief Guard up to the field to assist in finding them. I joined the Warden's party on the other side of the field. The Warden instructed me to proceed after them, and that he would return and search an orchard close at hand; this was between seven and eight o'clock in the evening. I returned to the prison about 12 o'clock.

WILLIAM HARDIE.

WILLIAM GIFFORD, Guard, sworn.—Am Prison Guard; I was appointed at the opening of the prison. I never heard the Chief Guard whistling and singing in the guard-room in such a manner as to disturb the guards. I never knew Mr Beaumont when on duty to allow quarrelling and wrangling amongst the guards. I remember one occasion in which a pistol was found in a prison cell. I paraded that morning with a pistol, I had Guard Umacke's pistol About ten minutes after the parade, I went to Mr Beaumont and told him the pistol found in the cell was mine. It is the custom for the Chief or Deputy Chief when on duty to lock the front gate of the grounds at night. I remember the guards giving a party at the Fort, Mr Stedman was present he was the officer on duty that night

WILLIAM GIFFORD

HENRY EAMES, sworn —Am Prison Guard was appointed at the opening of the prison. I never knew the Chief Guard to whistle or sing in the guardroom in such a manner as to disturb the guards. There was wrangling at one time between Mr Stedman and Doherty, but the Chief Guard was not present. I never saw any wrangling when Mr Beaumont was present. It was the custom of the Chief Guard or Deputy Chief Guard when on duty to lock the front gate of the grounds. The locking of the corridor gates was often left by the Chief Guard and Deputy Chief Guard to the guards on duty in guard room, in such cases the keys were taken to the armoury, the small keys taken to the Chief or Deputy Chief Guard and a report made that all was locked and correct. I never saw the Chief Guard unfit for duty through drink

H. EAMES

FREDERICK HILL, sworn.—Am Prison Guard, was appointed about March 1875. I never knew the Chief Guard to whistle or sing in the guard room in such a manner as to disturb the guards; I never knew the guards to quarrel or wrangle in the guard room when the Chief Guard was present, without being checked It was the custom of the Chief or Deputy-Chief Guard to lock up the gate at the front of the grounds, when on duty I never saw the Chief Guard unfit for duty through the influence of drink

FREDERICK HILL.

HAMILTON LYONS, sworn —I am gate guard. I was appointed at the opening of the Prison I never heard Mr Beaumont whistle or sing in the guard room in such a manner as to disturb the guards, whenever there was any wrangling in the guard room, if Mr Beaumont was present he checked it. I remember the 7th March last, Mr Beaumont paraded Wall Guards as usual, on that occasion he was not the worse of liquor, I never saw him the worse of liquor

HAMILTON LYONS

THOMAS SHORT, sworn — Am Bursar for the Central Prison was appointed at the opening of the Prison. Up to about April, 1875, I computed all the sentences. I entered them in pencil in a book, and also made an entry on the back of the papers from the entries made by me in pencil, Mr Beaumont copied into another book in ink we frequently compared them, I made the entries from convictions any information contained in the convictions I entered I entered the termination of sentence as being the same day of the month as the date mentioned in the sentence, I was directed that the sentence must be made one day sooner, which caused several erasures in the book

Adjourned till 4 p.m.

THOMAS SHORT

Resumed at 4 p.m

CAPT PRINCE, Warden of the Prison, recalled.—The copy of a letter to the Inspector from me, bearing date 17th April, 1876 and marked "C" now put in.

(Copy of Letter marked "C.")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO April 17th 1876

SIR,—I have the honour to inform you, that upon my discharging prisoner James Brown, on the morning of the 15th inst. the sum of $18 belonging to the prisoner and which *was supposed* to have been placed with the purse and pocket-book in an envelope by the late Chief Guard, he having endorsed the envelope to that effect, was not forth coming. [Endorsement—Received $18, the property of a discharged prisoner, Jas. Brown, not forthcoming] James Brown was transferred from London Gaol to the Central Prison on the 21st August, 1874 and at that time Mr Short registered the prisoners property, and having handed it over to the Chief Guard, the latter placed it in a parcel, or envelope, and after endorsing the same, deposited it in the safe. From the mouldy appearance of the package, it is evident that it has not been opened, or moved since it was placed in the safe; and it is also very evident, that although the envelope was endorsed by the late Chief Guard, as follows:—

'No 262, 'James Brown,' leathern pocket-book, 2 purses $18.65, the $15 were *never placed* in the envelope He (James Brown) being a two years man I of course paid the owner $18, and I trust, under the circumstances, the Government will authorize my being reimbursed'"

Your obedient servant,
W S Prince,
Warden.

Which contains a true statement of the facts alleged therein, Mr Stedman went to the safe for the package referred to in letter "C," I was in the office at the time; it was all covered with mould; had three or four India rubber straps round it I saw it opened.

Cross-examined by Mr Beaumont.—It is not customary for Mr Stedman to open the various packages belonging to prisoners in my presence when they are discharged but he always shows it to me, I always see the money, there were no money packages given out, so far as I recollect, between 8th March and 16th April

W. S. Prince,
Warden

Thomas Short recalled —I remember the prisoner James Brown, I always counted the money found on prisoners, I remember counting the money found on James Brown I placed it in the package after counting it $18 bill 65 cents American scrip, 3 cents silver, "pocket book" is in my hand writing the other writing is Mr Beaumont's, the book produced is the prisoner's property and receipt book in use at that date the entry "262 James Brown two leather pocket books $18 bill, 65 cents American scrip 3 cents American silver" was made by me I put the package in a tin box I had for the purpose, and locked it up, in January, 1875 there was an order for me to hand over all prisoners property to the Warden and I complied with the order I took the book and handed it over to Mr Beaumont, package by package; I can't say that I opened this particular package on delivery to Mr Beaumont I am satisfied the money was there when I handed it to him, I have no doubt.

Thomas Short

Captain Prince re-examined —I have no doubt the package could not have been opened within six months of the time I saw it, as it was all covered with mould, and in taking off the rubber bands the marks were well defined

W S Prince

Mr Beaumont states that he got the package referred to from Mr Short, that he has no doubt the money was in it at the time; he has not seen the package since until to-day he did not touch any of the packages received from Mr Short, unless the prisoner owning the same was being discharged; he put all the packages received from Mr Short in the safe, and believes they were there when he left.

Attest

S C Wood.

Captain Prince, recalled —Had I known there was any large sum of money I would have checked the contents of the package with the book at the time Mr Beaumont left

W S Prince
Warden

Richard Stedman, sworn —I searched for the money registered as belonging to prisoner James Brown, at the time of his discharge, previous to this, I knew nothing about the money, the first I heard was when he was leaving, this was the first money of any consequence that was asked for by any prisoner after Mr. Beaumont left, up to that time except now and then a few five cents, the package was moulded and bore the appearance of not having been opened for some time, I have never received instructions to write for money and there has been no money to write for, that I know of, since Mr Beaumont left, Mr. Newton and myself had charge of the key of the safe. Mr. Newton only having charge during my absence

RICHARD H STEDMAN.

CAPT PRINCE, recalled —I put in letter marked "D"

(Copy of Letter marked "D")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO,
TORONTO, 5th May, 1876

To the Inspector of Prisons

SIR, —I have the honour to report to you the following information obtained by me connected with the sum of $12 87, the property of prisoner Frederick Willis, which is missing since the dismissal of the late Chief Guard, prisoner Frederick Willis stated that there was $12 87 belonging to him in the prison Being aware that the sum of only $1 00 was in his possession at the time of his transfer which was duly registered in the property book, I referred to that book and found a memorandum in pencil inserted underneath the original register as follows, "A parcel from Hamilton." This must have been written some months after the transfer of Willis. The parcel not being forthcoming, but only $1 00 as registered I sent for the prisoner Willis who made to me the statement annexed, and marked "A;" after getting this statement I wrote to the police officer who arrested him a copy of which letter is herewith annexed and marked "B," to which communication I received the following replies marked respectively "C," and "D" I recollect the late Chief Guard applying to me for leave to proceed to Hamilton one day and alluded to obtaining information about a prisoner named McCulloch, who had made his escape In the interest of justice this man Beaumont should be prosecuted, and I think the best mode of proceeding would be for the prisoner Willis to lay an information against him before the Police Magistrate, upon a charge of embezzlement, or for larceny both stealing taking, and carrying away

I have the honour to be Sir,
Your obedient servant,
W S. PRINCE,
Warden.

It was addressed by me to the Inspector on the 5th May, 1876, contains a true statement of the facts alleged therein The letter marked "E," now put in:—

WARDEN'S OFFICE, CENTRAL PRISON,
May 1st 1876

To M J McMenery, Police Force, Hamilton.

SIR —I shall feel obliged by your informing me under what circumstances did Mr Beaumont, the late Chief Guard of the Central Prison receive a sum of money from you in February 1875 the property of Frederick Willis? Whether you paid it to him personally; and if so, when did the payment take place and whether he applied to you for the money?

Be good enough to inform me of the particulars of the case?

Your obedient servant,
W S PRINCE,
Warden, C P

Is a true copy of a letter I addressed to Sergeant McMenery, on the 4th May, 1876. The letter marked "F" —

HAMILTON, May 2nd, 1876.

Capt. Prince, Central Prison, Toronto.

SIR,—James Beaumont, Chief Guard, Central Prison, called at this office on the 8th February, 1875, and told me that he was authorized by Fred. Willis to get from me the money and other property I had belonging to him (Willis). I gave Mr. Beaumont twelve dollars and eighty-seven cents and some other small articles of Willis's for which I took Mr Beaumont's receipt, which is attached to the receipt book in this office.

I remain, yours respectfully,
A. MCMENERY.

Is the reply I received from Mr. McMenery, and the copy of a receipt—

"Received from A. McMenery $12 87 purse and pair of tweezers property of Fred Willis.

"JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February, 1875."

Is the one referred to in Mr McMenery's letter, and was enclosed in his letter

Statement now put in marked "E"—

"Frederick Willis, prisoner, Central Prison states as follows —

"Two Detective Police Officers arrested me in the Market Hotel, Hamilton on the 19th August, 1874. They searched me in the Hotel and took from me a small leather wallet containing $12 87. The officers took possession of it and stated they would forward it to the gaol. I was transferred to the Central Prison with one dollar on my person. I mentioned the fact of the police having my wallet and money to the officer in whose charge I was transferred (Mr Stedman). Shortly after my arrival at the Central Prison I spoke to Mr Beaumont about the money. He said he would write for it. After some weeks had elapsed, I spoke again to Mr Beaumont who stated that he had not received an answer, but that he would write again. A few days after this Mr Beaumont told me that the Chief of Police at Hamilton had the money and that it would be forwarded here, and in about a week after the information, Mr Beaumont told me in the dining hall that he had received the money.

"F. P. WILLIS."

was made by prisoner, F. P. Willis, the owner of the money while a prisoner. I think it was the acting Chief Guard who stated that Willis was complaining that money had been kept from him and knowing that only one dollar was found on Willis at the time he entered the prison, I sent for him and the result was the investigation. I never heard of the money until this summer and never gave any instructions to Mr Beaumont to go to Hamilton to get money, nor to write for any money. I never received by express or mail any money for Willis. I don't remember ever receiving any money by mail from a Court or a police officer for a prisoner.

I knew by the register that there was a dollar belonging to him and on opening the package found the dollar. I produce the prisoner's property book in use at that time, in which the registry, "No. 261 Frederick Willis, bill one dollar (in ink)" then beneath, in the writing of Mr Beaumont, I think in pencil the following —"and parcel from Hamilton." (I never saw the parcel.)

W. S. PRINCE.

Mr BEAUMONT states.—I received the money, placed it in the safe with the envelope containing the one dollar as registered; the packet was neatly done up; the date I received the packet was 8th February, 1875. I made the entry on the property book in pencil, to distinguish it from the entry made by Mr Short; the statement by prisoner Willis is correct in every particular; at the time Willis told me about the money being in Hamilton, I repeated it to the Warden, who told me to write for it; when I got the money I must have reported it to the Warden,—I can almost swear to it.

(Attested) S. C. WOOD.

Richard Stedman recalled —Some time after Mr Beaumont left, prisoner Willis told me to give a prisoner going out two dollars, I told him it was not allowed, a prisoner not discharged could not give his money to another prisoner. Some time after he asked me again if he could get his money to buy some clothes, I said, What money? He replied, Twelve dollars in the safe. I said, You have no such money, Willis, all you have is one dollar he said he was sure he had, as Mr Beaumont told him at dinner table one day that he had received a note from the Chief of Police at Hamilton with his money I reported this conversation to the Warden, between the time that Willis asked me first and his second conversation; I went to the pigeon hole and brought out to the Warden all there was in the safe which was a yellow envelope and one dollar

RICHARD H STEDMAN

Investigation continued, 3rd November, 1876 4 p m —

Alexander McMenery sworn —Am sergeant in the police in Hamilton, I know Mr Beaumont I first saw him in the Central Prison I was in the Prison on two occasions I once took a prisoner from here to Hamilton. I saw Mr Beaumont in Hamilton on the 8th February, 1875, that may not be the correct date I believe it to be the correct date I saw him in the afternoon, in the neighbourhood of five o clock at the police office in the City Hall he mentioned something about a prisoner who had escaped, and told me that Willis had ordered him to bring the money I had belonging to him, down to the Central Prison I gave Mr Beaumont the money it was a ten dollar bill a two dollar bill a sixty cent piece, and a twenty five cent piece, a penny, a purse with a clasp on, and a pair of tweezers, I got him a sheet of paper, and he wrote the receipt I now produce on my receipt book, it is known as a receipt book, and is kept for the purpose of taking receipts for moneys or property coming into the hands of the police, and delivered to the owners The following is a correct copy of the receipt referred to —

"Received from A. McMenery, twelve dollars and eighty-seven cents, purse, and pair of tweezers property of Fred. Willis.

'JAMES BEAUMONT,
Chief Guard, Central Prison.

"8th February, 1875'

Previous to saying that Willis ordered him to get the money he asked if I had any money belonging to Frederick Willis and I said I had there were three or four policemen present when I gave him the money Detective Rossean was one I have not seen Mr Beaumont since until to-day, I never sent a parcel by post of that description in my life, if I had sent it by post, I would have registered it if a letter had been sent, asking for money to be sent to the Central Prison, in all probability it would be on the file kept by the Chief of Police

A McMENERY

Adjourned until Tuesday the 7th instant.

Investigation resumed 7th November, 1876 3 p m —

Mr Beaumont put in statement marked "BB."

Statement of James Beaumont late Chief Guard, Central Prison of Ontario.

TORONTO 3rd November, 1876.

1st. In answer to the Warden's charge of being frequently under the influence of liquor I deny it the evidence confirming such statement emanating from Mr Stedman only whose motive in supporting the Warden to secure my removal was always apparent. The only particular instance which the Warden gives, and states was clearly observable, and remarked by the guards, having been denied by the first witness called upon after Stedman who, it is shewn, never spoke to me. The evening of the 7th March 1876 being subsequent to the preferment of the charges upon which my dismissal was based should not be entertained in supporting this charge; anyhow, it has been denied by evidence upon oath Guard Kirkpatrick's evidence of one instance included in the charge is clearly untrue, as he states he saw me at 10 o clock Now it has been proved I did not come outside of my room at 10 o'clock at all It was impossible for Guard Kirkpatrick who was locked in the corridor to see me Moreover, Guard Dunn, who spoke to me swears he could observe no such sign. The evidence of the cook and baker is, to say the least, unreliable, inasmuch as he states he saw me but did not speak, and that was while I was standing under a portico after 8 p.m., in a place where there is not a single outside lamp Emphasis seems to have been put on the fact of my being on my bed at midnight when prisoner Spackman was missing It should be observed that until I was called, the bed was my place I distinctly deny having tasted liquor on that day

2nd The Warden's charge—that I "never reported an officer since my appointment to office" has been so clearly established to be false by his own hand writing in the officers' offence book, which shows no less than 8 cases—as to require no comment.

3rd The charge—that I was in the habit of whistling and singing in the guard-room and allowing guards to wrangle and quarrel without check, I most emphatically deny, and have proved its falsity in every respect, no guard having confirmed the statement, but on the contrary, all denying it

4th. The Warden states I would leave the Prison when in charge and remain away for hours together This assertion, which I most positively deny ever having been guilty of, on any single occasion, has also been rebutted by every evidence except that of Stedman and he only says he saw me off the grounds on one occasion, and then in company with two guards, viz., Bollard and Doherty, the names of these two guards having obviously been selected as they have left the Prison and their whereabouts unknown. It should further be remarked that although Stedman says, on the occasion referred to he knew I was on duty, he admits he did not take any notice of it at the time; neither can he, in this, as in most other cases, give any idea of the date The statement itself is entirely uncorroborated, and most decidedly false. With respect to the case of the man in the hospital being taken worse, and myself not forthcoming, it will be noticed that it was in April, 1875 long previous to the time I was first ordered to sleep in the Prison and up to which time I always left the premises immediately on Stedman's return; he states himself he was in bed at the time, therefore, it is perfectly certain I had left as we were never on the premises together at night, prior to the issue of the order above referred to, on the 12th April 1875. The Warden states he would bring ample witnesses forward to prove this practice being of constant occurrence, and although every opportunity has been afforded him to do so, he has not only entirely failed, but the assertion is contradicted

5th. With respect to my not having missed a pistol, which should have been worn by a guard on parade, for 18 hours afterwards, the statement is not only false, but entirely one of hearsay evidence. The guard in question, having sworn that he did wear a pistol on parade, and informed me of his own being missing ten minutes afterwards; further, I was myself in possession of the pistol in question before parade took place.

6th. The Warden has also been entirely misinformed respecting Guard Langmon, as I am prepared to swear I never paraded him for any duty whatever that morning, which his letter herewith enclosed will show and which fact can be further proved if necessary

7th. With reference to certain scandalous behaviour on the part of the officials of the Prison which was elicited on an investigation held by the Inspector of Prisons some time ago it will be seen by the proceedings of that investigation that I was neither on duty nor in the Prison on the night referred to Stedman being in charge yet, the Warden asserts I must have been aware of it; the assertion is entirely void of truth and not evidence

8th In the matter of the keeping of the register I consider the explanation afforded, the inspection of the books, and the evidence of the Bursar clearly proves to any impartial judge that no irregularity has been fixed on me whatever, the sentences not having been computed by me, but merely copied from the Bursar's entry, in whose charge the convictions were at that time

9th The Warden's statement about the contractor and other gentlemen having been informed by me that they could not see the Warden is true, so far as Mr Godson is concerned This gentleman called up early one morning before the Warden was about, and I informed him of my instructions as per order of the 17th August, 1875 on which he left. Mr God son will state that the Warden was not in the front grounds at the time, and as he asserts

10th In the matter of the keys, it has been clearly established that, the three keys not locked up, were the three keys in charge of the Warden, and which he sometimes kept in the office and sometimes in the house.

11th Further the charge of my neglecting to communicate the Warden's orders was tried to be supported by Stedman's single evidence, and that hearsay, Deputy Chief Guard Newton, swearing quite the contrary on personal knowledge

12th During the course of the inquiry the Warden endeavoured to establish an act of neglect on my part in allowing Guard Hardie to absent himself from the Prison a portion of the night on the 21st June, 1875 Now it has been clearly established on the sworn testimony of Guard Hardie, and is well known to other guards that Guard Hardie formed one of the Warden's searching party on the night in question, and was ordered by the Warden to continue proceeding westward, about two miles and it was then 8 p.m. Without going further into the details of this matter at present, it must be obvious that the charges brought against me by the Warden stand not only in a large part uncorroborated, but positively refuted. It may have been noticed that, in the evidence of Stedman the most essential point, viz. —The fixing of dates for particular acts, was quite ignored, which cannot be considered satisfactory That my position as Chief Guard, was in every possible way made uncomfortable was patent to all, and is also evident from the framing of my duties in the last issue of the by laws, which not only details more work than any one man could reasonably perform, but directs me to be incessantly on duty day and night. To add to this, I was repeatedly being called upon by the Warden to attend to matters connected with his domestic household which I could not but consider derogatory to the position which I held, and which the accompanying documents will show I believe, this was done to bring my position down to a level with Stedman's, who voluntarily performed such menial offices, as washing the Warden's dogs, assisting to decorate his dinner table &c while he should have been employed on the duties of the prison Having served over 19 years in H. M 13th Hussars—17 as a non commissioned officer, without having given a single occasion for the charge of intemperance I consider due care should be shown in accepting the evidence against me from a man who during his service in the police, was not recognized by the public as of temperate habits himself and whose acts of intemperance since his appointment as *Warden* can be proved Taking everything into consideration I respectfully submit that, my dismissal was brought about: first, by false statements made to the Warden by an individual who was interested in securing my removal and secondly by the evident desire of the Warden to depose me, leading him to exaggerate and add to their untruthfulness, and upon whose mere recommendation my dismissal was summarily granted in an unjustifiable manner on the grounds that a precedent can be found in the acts of another country In conclusion I consider that the necessary steps as required by existing rules not having been taken, was to act contrary to the law and renders my dismissal unjust and illegal

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(Copy of Letter from Guard Langman, referred to.)

SCHOOL OF GUNNERY
KINGSTON, May 27th, 1876

Mr Beaumont.

SIR,—I am writing this letter for Langman in consequence of his being in hospital and unable to do so himself. On the Monday morning that I returned to the Central Prison, a little the worse of liquor I was not paraded by you or passed for duty, but was ordered to remain in the guard-room, that was before I had been on any duty that day The above statement I am prepared to swear as being true. Any further information required in reference to the foregoing I will be most happy to give

I am, dear Sir yours respectfully
H. LANGMAN

EDWIN NEWTON, recalled.—I recollected a prisoner, a carpenter I think, his name was Clarke, it was either Clarke or Smith, putting up pigeon holes and fittings for books in the safe of the Warden's office after Mr Beaumont had left, it may have been some seven or eight days.

E NEWTON

W. F AIKINS, sworn.—Am surgeon for the Central Prison, was appointed at the opening of the Prison. I remember in 1875, on visiting the hospital, I was told that a prisoner named Williams, who was in Hospital, had taken an overdose of medicine, the prisoner was over the effects when I came.

Adjourned

Resumed.

JOHN ENGLISH sworn.—Am prison bailiff, was appointed at opening of Prison, about two years ago I think in July 1874 I was at the Central Prison in the office of the Warden, the Warden handed me a letter to the Chief of Police at Hamilton; my recollection is that it was a letter from Capt. Henery to the Warden and that the Warden wrote on the other side of Henery's letter the order to send the money here by me, I took the letter to Hamilton, called at the Police office, enquired for the Chief, who was absent. I then told one of the sergeants what my business was, and he referred me to Detective McMenery, he had the money, I said I had not time to wait, and that I did not know Mr McMenery, but to tell the Chief to send the money to the Warden, and he would send a receipt.

JOHN ENGLISH

Adjourned

Original Papers referred to in the investigation of the charges preferred against Chief Guard Beaumont of the Central Prison.

HAMILTON, 8th Nov 1876

Capt. Prince,
Central Prison

SIR,—Enclosed please find declaration from Rosseau and Capt. Henery, in the Beaumont matter I think that ought to convince even Beaumont himself that he is mistaken. I am sorry I could not have sent them sooner

I remain, Yours &c.,
A. MCMENERY,
Serg't

I, John B. Rosseau of the City of Hamilton, in the County of Wentworth, Constable, do Solemnly declare, that Detective McMenery and I arrested Fred Willis together. McMenery took possession of his money and things and I saw McMenery pay Fred Willis's money to a guard from the Central Prison in the Police office, in the City of Hamilton The money was paid to a guard that was making inquiry about a man named McCullough who broke out of the Central Prison, I also saw him, the guard, write a receipt for the money in the Police office at Hamilton

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's reign intituled "An Act for the suppression of voluntary and extra judicial oaths."

Declared before me, at the City of Hamilton in the
County of Wentworth, this 8th day of November,
A. D 1876 } John B. Rosseau.
James Cahill
P M & J P

I John Henery of the City of Hamilton in the County of Wentworth, do Solemnly Declare, that in February, 1875 I was Chief of Police of the City of Hamilton. I received a letter from Capt Prince, dated the 27th January, 1875 in reference to Fred. Willis money, and in the beginning of February I remember McMenery who was then detective coming into my office and telling me that he had paid Fred. Willis' money to James Beaumont, Chief Guard Central Prison and at the same time producing Beaumont's receipt for the same, which he attached to the receipt-book kept in my office. I am positive the money was paid to Beaumont in the Police office in this city

And I make this Solemn Declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty seventh year of Her Majesty's reign, intituled "An Act for the suppression of voluntary and extra judicial oaths"

Declared before me in the City of Hamilton in the County of Wentworth this 7th day of November, A D 1876.

J White, Jr

A Commissioner, &c. in B. R. & C., in and for the County of Wentworth.

John Henery,
Late Chief of Police.

19th April 1876

SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, informing me that on your opening an envelope, said to contain the sum of eighteen dollars, taken off the person of Prisoner James Brown, the said money was not found enclosed therein and stating further that such package had been made up and was placed in the care of ex-Chief Guard Beaumont. Before recouping you for the amount which you state you have paid over to the prisoner, I must make further inquiries into the matter with a view of discovering who has been guilty of abstracting the money, in order that such person may be prosecuted criminally

I have the honour to be, Sir,
Your obedient servant,
J W LANGMUIR
Inspector of Prisons.

Captain Prince,
Warden of Central Prison, Toronto.

Extract Conviction—The Procurator Fiscal against James Beaumont.

At Perth, the third day of May eighteen hundred and sixty-one years. In presence of Hugh Barclay Esquire Sheriff-substitute of the County of Perth and a jury sitting in judgment in a Sheriff-Court of the said County lawfully fenced and affirmed anent the criminal libel or complaint raised at the instance of John McLean, Procurator Fiscal of Court for the public interest, against James Beaumont now or lately prisoner in Perth prison, accused of the crime of Theft, or Reset of Theft, of a silver or other metal watch, actor, or art and part. And at calling of said criminal libel or complaint upon the date hereof in presence of the said Sheriff-substitute, compared the panel and the libel having been read over to him and he having been interrogated thereon, he answered that he was guilty of Reset of Theft, as libelled. The Procurator Fiscal accepted of the said plea.

JOHN THOMAS

The Sheriff, in respect of the foregoing judicial confession of the panel granted and hereby grants warrant for committing the said James Beaumont to the Prison of Perth, therein to be detained for the period of one calendar month.

JOHN THOMAS.

Extracted by me

Sheriff Clerk of said County

Where not printed written by Adam McKenna. Collated by John Thomas.

Signed at Perth, the 13th day of December, eighteen hundred and seventy-one years

CANTERBURY, 25th November, 1876.

From O C Dep̂t Troop, 13th Hussars.

Imprisoned by Civil Power, for Felony, from 6th April, 1861 to 1st June, 1861
Tried for Disgraceful Conduct from 2nd June, 1861, to 24th June 1861
Reduced by C M to Private, from 25th June, 1861, to 8th September, 1861

SIR,—In reference to the sheet of private James Beaumont, I find that the entries of convictions against him, are as per margin. You will notice that though there are three entries, the various terms of imprisonment seem to run into one another, over a period of from 6th April 1861, till 8th September, 1861

I am Sir, your obedient servant,
C W POLE,
13th *Hussars.*

To the Warden Central Prison, Ontario.

The undersigned has the honour to submit for the consideration of Council the evidence taken at the recent investigation into the management of the Central Prison.

It will be remembered that since the dismissal of Chief Guard Beaumont in March last, complaints have been made in regard to the Central Prison, but that as they were supposed to emanate principally from discharged officials, it was not until some time afterwards, considered necessary or advisable to hold an investigation.

Owing to the time of the Inspector being fully occupied, and from other causes some unavoidable delay took place, and although the Government had determined in September, that I should hold an investigation I was not able to enter upon it until the 31st October, since which time, with the exception of two or three days, I have been continuously employed in examining into the affairs of the Prison I have taken the evidence of all the officers of the Prison and such others outside, as were supposed to be able to give any reliable information.

I may state that when the Central Prison was completed, it became necessary to obtain every possible information, not only as to general management, but also as to the mode of punishment of prisoners in similar institutions, and for that purpose the Inspector the Warden, and the Chief and Deputy Chief Guards made separate visits to several of the Industrial Prisons in the United States. I was not then a member of the Government, but after carefully considering the evidence, I must come to the conclusion that, on the part of Inspector and Warden, from the opening of the Prison until the present time there has been a determination to establish at the Central Prison, not only the very best prison regulations, but also to adopt such a system of punishment as would enable the officers to enforce discipline, compel the performance of labor and secure order, thereby accomplishing the object the Legislature had in view in establishing that institution

The most successful industrial institution in the United States both as to prison management and financially, is the Albany Penitentiary, and the system of punishment adopted at the Central Prison is not so severe, as to duration, but in other respects is the same as practised there.

Once having decided as to the kind of punishment, the application and severity must to a great extent be left to judgment of the Warden and the supervision of the Inspector

While all the Industrial Prisons in the United States have printed rules, none, so far as we have been able to learn, have printed or written regulations as to punishment, the severity and kind of punishment being determined by the practical experience of the officers in charge, or the peculiar ideas entertained by the different Prison Boards or those who have the power to determine In awarding punishment the Warden is guided by the nature and frequency of the offence, the previous conduct, and the age, health and constitution of the prisoner.

The evidence shows that strict discipline prevails in every part of the institution, that every thing is done in order, and the regulations adopted by the Inspector for the management of the Prison have proved most effective.

It was impossible to foresee all the difficulties surrounding the management of the Prison, and the rules have been from time to time amended as experience was obtained

We have over three hundred and thirty prisoners in the Central Prison; a large proportion are criminals of the worst kind, some have served a term in the Penitentiary at Kingston, others in one or more of the prisons in the United States; others again are serving out a second or third term here. For the protection of the officers, for the safety of the Prison, for the proper carrying out of our contract with the Car Company, and in the interests of justice (if the Prison is to be considered a place where crime is punished), it is imperatively required that strict discipline be enforced.

Laxity of discipline would result in insubordination and mutiny; our guards overpowered, and the danger of our three hundred criminals being let loose on the country.

On the other hand, if we expect the prisoners to work, obey the guards, and be subservient to prison rule, the punishment of an offence must be prompt, and of such a character as the nature of the offence and the surrounding circumstances require.

Before arriving at the conclusion that the punishment awarded in any instance by the Warden has been unduly severe, it is necessary to consider all the facts, and as I shall have the honour in a short time to submit a full report on the mode of punishment in the Prison, and, as far as possible, in similar institutions in the United States, I will defer giving any opinion as to the system adopted, or the punishment awarded, until then.

If there has been an error on the part of the Warden, in awarding punishment, I am satisfied it has not been of a serious character, and has been from no inclination on his part to be unnecessarily severe; but rather from a natural anxiety to preserve the discipline of the prison. The activity and intelligence of Mr. Stedman may have induced the Warden to throw upon him more responsibility than should be entrusted to a subordinate. Mr. Stedman, formerly Deputy Chief Guard, and for the past few months acting Chief Guard, is an active, intelligent, brave, determined man and a strict disciplinarian. The Superintendent of the Albany Penitentiary, in a letter dated May 29th, 1874, addressed to the Inspector, says: "Mr. Richard Stedman has, for the past month, been with me, making himself acquainted with the various duties of the different prison officers, and it affords me pleasure to state that I consider him well adapted and qualified to fill any position connected with a prison. I do not think I have ever met a man (not brought up to the business) who possesses as many of the qualities necessary to the proper discharge of the duties of a deputy warden as Mr. Stedman."

The Prison Surgeon,—Dr. Aikens,—who visits the prison daily, and is in constant communication with the acting Chief Guard, speaks in high praise as to his ability as a prison official, and states that he does not believe him to be a cruel man. The Warden of the prison also, in his evidence, gives Mr. Stedman a high character, and says that he (Stedman) "has been the support and mainstay of the discipline of the prison." While the evidence proves that Mr. Stedman is in many respects a good officer, it also discloses the fact that he has been unnecessarily severe in the treatment of prisoners. Having heard that I had come to that conclusion, he has placed his resignation in the hands of the Government, which I recommend should be accepted.

I have much pleasure in stating that the reports as to guards being unfairly treated by the Warden, and Chief and Deputy Chief Guards, on account of their religion, are untrue.

All the guards have been questioned on this point, and their reply invariably was, "We have not seen any difference in the treatment of the guards on account of their religion."

Every opportunity was given to the different persons examined to make a full statement, each being assured that the evidence he might give would not affect his position in the prison. It is due to Captain Prince, I should state that there has not been any evidence given reflecting in any way on his personal character; and I feel bound to add that the present state of the prison and the discipline in force there are highly creditable to him as Warden; and it must be gratifying to him, as it is to me, that, after an exhaustive and searching investigation, nothing has appeared reflecting on his management of the prison further than might be charged against any efficient warden and strict disciplinarian.

Our Central Prison is second to none in America; its management is equal to any, and much of the credit of its success must be attributed to Captain Prince.

Respectfully submitted,

S. C. WOOD,
Provincial Secretary.

Toronto, 16th November, 1876.

TORONTO, 17th August, 1878

SIR,—Certain rumours have come to my ears, and doubtless have also found their way to members of the Government, which cannot but seriously affect the characters of some of the officials of the Central Prison, if not my own as Inspector, and what is of still greater importance, from a Government stand point, are calculated to do serious injury to the prison itself, as one of the Institutions of the Province. It is true that these rumours have, so far as I can discover, been set afloat by persons who have been dismissed from the prison service, or by disaffected officials now in the service, and should therefore, under ordinary circumstances, and nearly always be taken "*cum grano salis*," still I am of opinion that a full and searching inquiry should be made into all the rumours and reports that are so prevalent, and into all matters connected with the management and discipline of the prison.

As I am informed that one of the charges preferred against me is that I have favoured certain officials in previous examinations, and in my capacity, generally, as Inspector, I would strongly recommend that, in the interests of the prison and all concerned, the examination be conducted by two members of the Administration. This seems to me to be the more necessary as I have recommended for promotion and advancement, one of the officials whose character is most seriously assailed by these rumours.

I am,
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon. the Provincial Secretary

INVESTIGATION into the General Management and Discipline of the Central Prison, held in the office of the Central Prison commencing on Tuesday, 31st October, 2 P M

THOMAS SHORT, sworn —Am Bursar of the Central Prison at the opening of the institution I had charge of the stores, the Chief and Deputy Chief Guards especially the latter, were overbearing and arrogant in their treatment of me —they would come into my office at irregular hours, and demand the delivery of stores —sometimes verbally and sometimes on slips of paper without regular requisitions, at that time there were no forms of requisition these demands were made in an overbearing disagreeable manner, I cannot recollect the language or specify the time when I objected I was told by the Deputy that it was done under the orders of the Warden and that he knew no other authority, a copy of rules were prepared and handed to me by the Chief Guard by order of the Warden he said they were for the guidance of the officers, myself included, I have nothing to complain of now as to the arrogant manner of the guards referred to or as to the delivery of stores, I took a copy of the "Rules" to the Inspector who told me that the officers complained of had nothing to do with me whatever, after that, especially after the delivery of the store was handed over to the Steward I experienced an open hostility but was told by the Prison Bailiff that the Deputy said in the office that the Chief would soon occupy my chair and that he the Deputy, aspired to his (the Chief Guard's) position on his way to a higher —meaning the Wardenship this was the expression of the Bailiff Storekeeper McCarthy told me that the Deputy Guard stated in the guard room that the Warden could sack any man in the Prison including myself I frequently heard expressions of hostility to others especially the Bailiff Steward and Cook on the part of the Chief and Deputy Chief Guards, and against one or two of those whom I esteemed the most reliable and respectable of the guards, viz. —Coutts, Axworthy and Gracey, two of these men told me they were so annoyed by the arrogant and overbearing conduct of Deputy Chief Guard Stedman that they were obliged to leave their situations in disgust, these two were Axworthy and Coutts, Gracey previous to his leaving told me he intended to resign on account of the treatment he had received, he did not state whether it was Beaumont or Stedman he complained of

I consider the treatment of the prisoners by these men (Beaumont and Stedman) on what I considered good evidence, especially of those who tried to conceal themselves with a view to escape, as unnecessarily severe; Elliott, a Hospital Guard, and Clarkson, the Engineer were among the persons who gave me the information; the acts of cruelty towards the concealed criminals were beating by the guards; Clarkson told me their cries could be heard outside of the Prison ground and Elliott told me he saw them beaten; I cannot state how many were beaten; Mr Elliott did not tell me how many, he spoke of the severity; prisoner Hunt, who was allowed to assist me in my office, in the summer of 1874, and who was highly spoken of by Sheriff Munro of the County of Elgin, told me that Mr Stedman asked him if he had heard any of the employees speaking against the officers of the Prison, and intimated that if he, the prisoner, would give him, Stedman his confidence, it would be better for him; Hunt's not reciprocating resulted in his being harshly treated by Stedman; he showed me a mark on his wrist, which I also saw after he left the Prison, which he said was made by Stedman striking him with a loaded stick, because he saw ink on his sleeve where he had wiped his pen.

About this time I was temporarily absent, and on my return I found he had been removed from my office, and was employed in the yard; I applied for his restoration, which was not granted until I complained to the Inspector, who ordered his return to my office; on the 30th October, 1874, at about 3 p.m., I received instructions from the office of the Inspector to furnish a list of the names of 260 prisoners then actually in Prison, to the Car Company on the following day; to do this and to prepare a copy to retain, I returned to the office in the evening and told the prisoner to remain and help me; about 6.30 Stedman came into the office, and motioned the prisoner to go to his cell, without speaking to me; he looked from his work to me for direction and I explained to Mr Stedman the necessity that existed for his remaining; he said he would see the Warden about it, and went out; the prisoner remained until I had finished; prisoner Hunt's hair was cut short the day before he was discharged; Hunt told me the Deputy ordered this to be done; he was examined after it was cut, and was sent back a second time by the deputy; I paid his board for several days after his discharge, until his hair grew, so that he could go out and look for a situation; I heard that Mr Stedman said he would put a stop to officers taking their friends through the prison without a pass; this was in the summer of 1874; a short time afterwards I heard that an order was placed in the books to that effect. As I expected some friends of mine to visit the Prison, I spoke to the Warden about the order who said it was not intended to apply to me, but only to the Steward and Cook; I am not certain, but I think it may have been either the Bailiff or Mr McCarthy, the Steward, who told me what Stedman said. On one occasion, when two friends called on me, we went up the tower on the invitation of the Wall Guard; the Warden noticing this, censured the Wall Guard, at least so I was informed; I had formerly a prisoner to assist me; in the spring of 1875, I asked for the continuance of a prisoner to assist me in my office but was refused, and have not had one since, although a prisoner is allowed to assist the Storekeeper. (Letter marked "A" now put in.)

Copy of letter marked "A."

BURSAR'S OFFICE,
CENTRAL PRISON OF ONTARIO,
Toronto, 6th October, 1875.

SIR,—I have the honour to call your attention to two inaccuracies in the weekly statements of prison labour supplied to contractors which have been sent to me. I went to your office to see the Chief Guard, by whom they were prepared, with a view to having them corrected. He being absent from the office, I left a message, requesting him to come to my office to make the corrections, but subsequently received a reply, that he was forbidden to come, so that I have failed in getting the matter explained, or corrections if necessary, made.

I have the honour to be,
Your obedient servant,
THOMAS SHORT,
Bursar.

Captain Prince,
Warden, Central Prison.

This letter is one that I sent to the Warden on 4th October, 1875. On the back is the Warden's reply, and a note by Mr Beaumont, the Chief Guard.

Copy of reply.

The Chief Guard has received no orders of the kind. He shall attend your office to-morrow morning. He is on leave to-day

W. S. PRINCE,
Warden.

Note.

MR. SHORT —In reference to the above, the Warden distinctly ordered me not to go to that portion of the Prison in which your office is placed, except once a day to draw stores When I reminded him of that order, he told me he only intended it to refer to the store-room

JAS. BEAUMONT,
Chief Guard.

The Chief Guard told me he was told especially that the reason the order referred to in the letter was given was, "that there was intriguing going on in that office," meaning my office On Saturday, the 27th May 1876, I sent the Storekeeper to the Warden's office with a pay sheet to sign, and a cheque to hand to him. On the Monday following an order was placed in the book forbidding anyone except the Inspector, the Chief and Deputy Chief Guards, to enter the Warden's office. Mr Stedman showed me the order and explained that it was intended only to apply during the Warden's absence, subsequent to this order, the Storekeeper mentioned that some goods were wanted I told him to make out a requisition and get the approval of the Warden in the usual way, as I was going to the City He prepared the requisition and went to the waiting room and was told by the guard that, although the Warden was in his office, he could not enter, neither could he, the guard go in with the requisition Mr McCarthy can give the name of the guard (copy of order referred to and marked 'B,' is now put in.)

'CENTRAL PRISON, May 29th, 1876.

(b) "He shall see that the door of the Warden's office is kept closed and that no person enter therein in the absence of the Warden except the Inspector of Prisons, the Chief Guard and the Deputy Chief Guard On Saturday afternoon, all communication with the Stores Department shall be closed after 3 o'clock."

I am convinced that there is a disposition on the part of Stedman to hound down and annoy the Storekeeper As an instance the sudden removal of Willis, a well trained prisoner who had been employed in the lower store as butcher, etc, and who had proved himself clean, active, and civil, and was thoroughly conversant with the duties required, for some alleged offence committed outside he was punished, and afterwards sent to work at the stone pile instead of being returned to his duties in the stores and another man was sent in his place

I felt this the more as the man sent in his place (a prisoner from Ottawa) although a butcher, had a very bad reputation outside It had always been the system before that when a man is likely to be discharged from his position another is put with him, so that the new man may become conversant with his duties I spoke to the Warden about the man being taken away, and this man from Ottawa sent in his place, but nothing was done. At the time I spoke to the Warden I knew nothing about the character of the new man. During the past year I have no reason to think that the Catholic guards are not treated fairly on account of their religion I have not seen any brutal treatment of prisoners at any time As far as I know Stedman is attentive to his duties. A short time after the opening of the Prison, it came to my knowledge that some prison shirts had been cut up, and made into under clothing for Mr Stedman Some of the pieces left were brought into the store. Mr McCarthy (the storekeeper), may have been the party who told me I have heard that Mr Stedman removed articles made by the prisoners Mr Metcalfe was at one time bailiff of the Court.

THOMAS SHORT.

Investigation adjourned till 2 p.m to-morrow, 1st November

Investigation resumed 2.50, p.m. Wednesday, 1st November, 1876.

JOHN ENGLISH sworn.—Am Prison Bailiff; was appointed at the opening of the Prison. I have not been in a position to see any act of cruelty in the acts of the officers of the Prison, and never did see any. About a year and a half ago I took three lunatics to London Asylum from the Prison. Sometime before this (about three weeks), I was in the Prison, and heard the yells of a prisoner and the sound of blows. Guards Mansall and Gifford came into the guard room, and said it was a shame to lick a crazy man. I replied, "Why did you lick him?" They said that it was not they who did it; it was Stedman. They said he struck him (the crazy man) with a key, and beat the key on him, and knocked his head against the wall and knocked the blood out of his head on to the wall. When I got to the Asylum, and after they were undressed, Dr. Lett told me that one of them was fearfully abused, and he felt it his duty to report the case to the Government; that he knew I had not committed the acts of cruelty, because the marks were of too old a date. He also said they were filthy in their persons. The lunatic's name was Edwin Lewis. About fifteen weeks ago I was in Hamilton. I was in the Court House while the Court was going on. The County Judge sentenced a prisoner to a year and a half in the Central Prison, whereupon the prisoner begged to be sent two years to the Penitentiary instead, saying he would rather be sent to hell for a year than sent to the Central Prison, owing to the treatment he had received when there before, and the Judge gave him two years at Kingston accordingly. Capt. Henery, the Gaoler of Hamilton Gaol, can give name of prisoner. About nine months ago I was at the Court in Hamilton, and heard a prisoner beg to be sent to the Penitentiary for two years instead of one in the Central Prison; the Judge sent him to the Penitentiary. Capt. Henery will know the name of this prisoner also. I have heard of excessive acts of cruelty, but cannot give names.

I have not been satisfied with the treatment I have received. I have been locked out, when on time, when boarding in the Prison. One time I was locked out, I rang the Warden's bell, and he (the Warden) let me in, and stated that I was in time. I ceased boarding at the Prison on the 14th April, 1876. Frequently when coming to the Prison with prisoners, I have been kept waiting for twenty minutes in the storm and cold. I have now a key. About six months ago, I brought a number of prisoners to the Prison; it was about 12.30 o'clock at night. I rang the bell, but no one answered for at least fifteen minutes. I then rapped on the window and Guard Fraser then let me in. He said "you must not blame me for keeping you waiting, as I could not wake Stedman up." The next morning I was in Mr Shorts (the Bursar's) office, when Stedman came and told me the Warden wanted me. I went to the Warden's office. The Warden asked me what the devil I made such a noise for last night. I said to get in. He said that within eleven seconds from the time I rang the bell the guard opened the door. He and Mr Stedman told him so. I told him to call in the man who let me in; Guard Newton came in, and the Warden asked him how long it was from the time I rang the bell until he (Newton) opened the door, and he (Newton) said two seconds. I said to Newton, "Did you let me in last night?" and he said, "Yes of course." I asked him if that was a put up job between him and some one else to entrap me, and I asked the Warden to send for Fraser, the guard who did let me in. Mr Beaumont told the Warden that Guard Fraser was on guard the night before. Guard Fraser came in, and I asked him if, when he let me in last night, he did not say, I must not blame him, as he could not wake Stedman up? He said he did so. Stedman said he was awake, as he knew the prisoners were coming up. Fraser replied, "I mean until you answered me, I do not know whether you were awake or not." Immediately after that the Warden gave me a key, which I have used since. About six months ago I was in the Prison, my son, who is five years old, was with me. I started to take him to the water closet when Guard Dean stopped me. He said there was an order on the book to prevent any children going through the door. I then went to the Warden, who ordered the guard to let me through. About a week ago the same thing occurred again; Guard Mansall was on guard. He opened the gate and let me through. When I came back Guard Mansall told me that Stedman attacked him for letting me through. Mansall said he did not know it was wrong. Stedman said there was an order in the book against it; Mansall said he never heard of it, that it never was read to him; Mansall said Dr Aikins (the surgeon) brings his children in, and why not the Prison bailiff

I have been told by discharged prisoners that Stedman questioned whether I gave them liquor at the Marlborough House on the way to the Prison.

I have given the prisoners liquor but not lately. Mr Langmuir (the Inspector) told me it was wrong to do so. Prisoner Marron from Brockville was here twice, and when discharged the second time, he obtained a pass from the Warden.

About two years ago I saw Guards Bollard, O'Brien and others, drinking liquor in McCarthy's room. I have seen cards being played on the premises. I saw Bollard very drunk in the guard room. Have seen Beaumont under the influence of liquor twice. I never saw Beaumont or Stedman present at any time when card playing or drinking was going on, or when there was quarrelling or wrangling going on. I have never given any information to any one connected with the press as to the transactions in the Prison.

Shortly after I came here, Stedman said, pointing to the Bursar's chair, that Beaumont was fitted for that, and that he would soon have it. I have not noticed any difference shown to any one in the prison on account of his religion.

DANIEL MCCARTHY, sworn.—Am storekeeper. Was appointed on the opening of the prison. At the time when the prisoners concealed themselves with a view to escaping I heard their cries when they were caught. They screamed very loud. Gomstock was one. I forget the others. I ran out and think I saw a blow or two struck. I did not see the prisoner afterwards. I was unwell for two or three days after this from the effects, having never seen anything of the kind before—this was a short time after the prison was opened. Since April, 1875, I have seen little that is going on in the prison, being employed in the storeroom. Since April, 1875, I have kept away from Stedman. Prisoner Willis, who was detailed for store work, was bringing in milk by the upper door of the storeroom. Stedman said you must not go in by that door, you must take it up by the lower door. I am of opinion that Mr. Stedman has full control, and that the Warden upholds and endorses him.

I remember prisoner Hunt, I know his hair was cut short the day he went out. They call it a cannon ball cut.

Mr Stedman did not say to me that he would put a stop to officers taking their friends through without a pass. Have charge of prisoners. Know what is given to prisoners. Consider the prisoners are well fed. When there is no work, the quantity in meals is reduced. When the institution opened, the tailors were making clothes promiscuously for every body, and it was stated that one sheet was cut up for a pair of drawers for Stedman. I have never missed anything out of the stores.

We were hardly opened, when the prisoners were prevented from kneeling down when Father Rooney was holding service. Stedman said it was the Warden's orders that they were not to kneel down. Father Rooney demanded to see the Warden. Stedman said "go on," the prisoners might kneel down. One Sunday, Stedman kept his hat on during the Catholic service. He stood beside the altar. I heard the Warden say to Beaumont and Stedman, they were to hound us down. I said to the guards, I want you to bear that in mind. The Warden said, "I did not mean that. I want you to watch him as a cat watches a mouse." One other occasion, when Guard Somers was appointed in the absence of the Warden, he was sworn in by Mr Beaumont I think.

The first Sunday he put in an appearance he was seen by Deputy-guard Stedman on his knees. He (Stedman) came running down after service was over, "Mr Beaumont, Beaumont! Beaumont, you have sworn that man in—he is a Papist! if the Captain was here he would not have done it." That Beaumont told me. Guard Gifford told Mr English that Stedman called him into the Warden's office as he was passing down the lawn one Sunday afternoon in company with me, and said "now I want you to help me to get rid of those two Papists." Guard Lynne hinted to me the same thing. Acting on instructions from the Bursar on the 27th May, or thereabouts, I took a pay sheet for the Warden's approval, and was not allowed to enter his office. Guard Wood was on duty, and he said he could not go in with a pay sheet, no guard other than the chief and deputy being allowed to enter that room. The same morning I wanted to go to the water-closet, and had to explain to the guard where I was going, Mr Stedman standing by laughing. I felt that Beaumont and Stedman were opposed to me. I never saw Beaumont or Stedman under the influence of liquor. I never saw Beaumont drunk on the premises. I never gave any information to the press regarding the affairs of the prison, except stat-

ing to Patrick Boyle, that Captain Prince said he would "hound me down." The Inspector always gave every attention to any complaints I made.

D McCARTHY,
Storekeeper.

EDWIN NEWTON, sworn.—Am acting Deputy Chief Guard. Have been guard since 5th July, 1874. I had served in the Royal Artillery nearly 23 years prior to my entering the prison. On the first Monday when I commenced active service in the prison at 5 45 a.m., I was falling in the prisoners of gallery No. 4 when I heard a noise in the rear part of the gallery, and on looking round saw Mr Stedman striking prisoner Charles Gibbons with a walking stick. Stedman said it was because he did not walk well. He struck him two or three times on the heels. The prisoner cried out and lifted his feet, he is an old man of 65. I have not seen any other acts of cruelty. I have seen no difference in the treatment of the guards by the Warden, Chief Guard, or deputy on account of their religion. I have known of lots of instances where persons have been put in irons without their case being first reported to the Warden. One is the case of James Eyre. I remember his case as he made a great fuss in going there. I recollect the case of six men being put in irons by the order of the Warden; they were sent in one frosty morning. They were reported by Guard Wall, who was not the guard directly in charge, Guard Gifford was the guard in charge. They were reported for refusing to work, or not working (this was in the winter of 1876). The Chief Guard received the written report signed by Guard Wall, and countersigned by Guard Gifford. When the Warden came in Mr Beaumont reported the case, and the Warden ordered them to be placed in irons. I placed some of them in irons myself, and as I was doing so the men complained, and said they were brought in unjustly, that there were 24 men of their gang employed shunting the cars.

Adjourned the investigation, and resumed at 7 30 p.m.

Guard NEWTON recalled.—They stated that in consequence of there having been twenty four men around the car there was not sufficient room for all to push it, and the guard (Gifford) in charge had not found fault, and they requested the Warden might be informed of it. I told the Chief Guard (Beaumont) and he told me to inform the Warden. The Warden then sent for Guard Gifford, and after hearing what he had to say, he released the six prisoners. George Newbold, a prisoner, was placed in irons by Stedman, and James Hickey, a prisoner, was placed in irons by the Chief Guard, without their cases having been first reported to the Warden. This was since January, 1875, and some time in 1875. The other day a prisoner—at present a cook in the kitchen—was ordered to be deprived of his bed for the night. I referred the case to Mr Stedman, who found he was the wrong man. His case was not referred to the Warden. I think Mr Stedman assumes too much authority in ordering prisoners to punishment without first consulting the Warden. Prisoners have complained as to the sufficiency of food. I consider the food now furnished sufficient. The complaints are, that when vegetables were out of season the soup was scanty, and not of good quality, and then the men complained, but those occurrences are rare. The cooking at times is inferior, soup too watery, too much made; more than was necessary. I know Guard Coutts. I do not think he was quite sane. He could not be trusted with a pistol. I know Guard Gracey. I consider him a good guard. Mr Stedman had two easy folding chairs made in the Prison. I don't know whether he furnished any of the material. He had an in-laid loo-table and in-laid box made by two men named Collingwood. I know Guard Uniacke. I know nothing about his getting trees. I got permission from Mr Stedman to get a glass case for an ornamental clock, which was done, and I had a picture painted, it was painted in my own room. I know prisoner Walter Jones, he was employed making ornamental bone work for Mr Stedman, also vegetable ivory work. He was employed for a considerable time, he worked in his cell and Mr Stedman's room. This was previous to an order issued by the Warden forbidding work of this kind. I know prisoner McCarthy. He was employed painting in the south machine shop and in Mr Stedman's room. I recollect a watch being raffled for. I don't recollect the guards who took part in it. I have never given any information to the press respecting the Central Prison. The work-box made for Stedman was made since the order by the Warden forbidding anything of the kind.

E. NEWTON.

PATRICK MCCORMACK sworn —Am a Prison Guard, was appointed on the 17th May 1875; of my knowledge I do not know of any cruel treatment towards prisoners on the part of the officers of the Prison, I have not seen any difference in the treatment of the guards on account of their religion, I have no complaint to make and know of nothing wrong in the management of the Prison, I have heard of some of the single men who are guards complain that they had more to do than the married guards, I have reported nothing to the press, I have seen Mr Beaumont under the influence of liquor more than once.

PATRICK MCCORMACK.

DAVID KIRKPATRICK, sworn —Am Prison Guard, was appointed 11th September, 1875, I have seen prisoners punished, but I do not think they were punished any more severely than they deserved, but I have seen prisoners under punishment when I did not know what they were punished for, I never saw a guard strike a prisoner; I have never seen any difference in the treatment of guards on account of their religion, I have never known any dishonest act on the part of the guards, I have seen prisoners making bone work, I have never reported anything regarding the Prison to the press, I think the food furnished to the guards should be made more palatable, the fault is in the cooking; last spring some prisoners belonging to my gang reported themselves sick, I thought they were sick; I sent them in to see the Doctor, and they were sent back to work, I do not know whether the Doctor saw them or not, one prisoner was Perkins who in a few days was confined to the hospital, and afterwards died of typhoid fever

DANIEL KIRKPATRICK

RICHARD FARRELL, sworn.—Am Prison Guard, I was appointed 23rd May 1875, I know nothing of the cruel treatment of prisoners, never saw anything of the kind since I came here, I never saw any partiality in the treatment of the guards, and no difference whatever on account of religion, about three months ago one of the prisoners put some meat in his hat at dinner time, Mr Stedman saw him do it, and threw the meat out on the table after removing the meat from his hat, he gave the prisoner a slight tap which would not have hurt a child and made him stand up until the other prisoners were done; I have nothing to complain of, the single men complain that they have more to do than the married men; I am a single man but do not complain, The food at the guards table is badly cooked, I have not reported anything regarding the Prison to the press.

R. FARRELL.

WALTER BUTLER, sworn —Am Prison Guard, was appointed 8th March last, I know nothing of any cruel treatment of prisoners, I have never seen any difference in the treatment of the guards on account of their religion, I have reported nothing to the press; I have no complaint to make

WALTER BUTLER.

W J MANSELL, sworn.—Am Prison Guard, was appointed on 18th January 1874, I was in the metropolitan police, and in the Surrey constabulary, previously to coming here. About two years ago I was in charge of a gang working in the front grounds. One day while I was searching them out of the yard, one of the prisoners named Richard Jones, an oldish man, let his left hand drop straight and Mr Stedman struck him with a stick over the hand, and the man complained to me afterwards that his finger was very painful. The finger took to swelling and some week or two afterwards the outer skin around the joint peeled off, on another occasion I think it was the winter before last, I was on duty in the north wing as night patrol Suddenly I heard a violent shouting, and the words "Capt. Prince" repeated several times I went upstairs to the top gallery and there I found a prisoner (Edward Lewis) still shouting 'Capt Prince' I believe that he had become deranged Mr Stedman who was in charge that night came out of the guard room with ex-Guard Pollard and a key was produced to open the cell door a long key Mr Stedman went in, the man shouting all the time but made no resistance Mr Stedman struck the man with the iron key, Lewis shouted, murder! Mr Stedman threw him down on the bed and his head struck the wall and bled Mr Stedman then placed a wooden gag in his mouth and his hands hand-cuffed behind him, this was about nine at night, he was left lying on the bed I went up to see him in about half an hour, he appeared to be all a heap with his head down on his breast, when I spoke to him, he raised up his head, and I found he had got the gag out I made a report of the disturbance in my note book on a sheet of paper, and reported to Stedman and Beaumont I did not report the striking with the key He (Lewis) had all night with his hands behind him within an hour Stedman asked me how the prisoner was going on, and if he was quiet, I told him he had got the gag from his mouth I think he said Let him be. Mr Stedman did not give me any instructions to take the gag out of the prisoner's mouth if he became quiet I don't know who removed the hand-belts I know that he was not untied all night, I had thought for some time he was insane—Stedman struck him (Lewis) over the shoulders The blows bent the key, The key is two feet long, and is made of steel half an inch in diameter, and I think would weigh two pounds. I produce a similar key, It is called the entrance key to the prison proper, Mr Stedman had some chairs manufactured here. I do not know whether he took any away I understood they were furniture for his room, I saw them in his room after they were finished, I never saw any partiality shown the guards by the Warden, Chief, or Deputy Chief Guard, and no difference was made on account of religion, I have not reported anything to the press. Prisoners have complained of the food to me as not being sufficient sometimes there was more food than was necessary, and sometimes I should say there was not sufficient I have seen no favoritism as to treatment of prisoners There seemed to be bad blood between Beaumont and Stedman, I never heard them quarrelling

W J MANSELL.

HENRY F KING, sworn—Am Prison Guard, was appointed 27th February, 1876 I can't say I know of any cruel treatment of prisoners When I first came prisoners were confined in irons all night and were not let down to use the buckets. That is not done now, the guard lets them down at ten o'clock to use the buckets. I have seen no difference in the treatment of the Guards by Capt. Prince, or the Chief, or Deputy Chief Guard I have reported nothing to the press.

HENRY F. KING

Guard NEWTON, recalled—Finlayson, a prisoner, was beaten for secreting himself for the purpose of escape, by the Chief and Deputy Chief Guards, one using a rope and the other a stick this was about January, 1875 I did not see him beaten but afterwards when he was placed in the dark cell I saw him, his body was covered with wales and bruises the surgeon was not present at the flogging, the man was very much exhausted Beaumont showed me the stick which he used, and it was over half an inch in thickness and was broken up I was twelve months in charge of the north wing, and saw a good many prisoners put in irons. After men had been up for several hours they would be very much exhausted, their hands would get cold and their arms paralyzed and in many instances I have found the men have answered the calls of nature in their clothes. As a rule when they expressed contrition they were taken down, but if put in at night they remained until six in the morning. Not long since about the end of August 1876, I found a prisoner in a fainting condition,—corridor guard Urquhart discovered him and told me. When I went to him he was hanging by his hands his name was Hawkins. In lieu of that punishment I would suggest a longer term of bread and water in a dark cell, the dark cells are badly ventilated there is one outlet but no inlet for fresh air I have been in the artillery, the punishments were principally dark cells. I am acquainted with the system of punishment in military prisons, and putting a man in irons is not resorted to except in extreme cases. I think that no one should be punished without the Warden being present. I think the Warden's authority to punish should be limited.

E. NEWTON

Adjourned till 10.30 a.m to-morrow

Investigation resumed at 10 30 a.m. Thursday.

EDWIN NEWTON recalled.—I knew prisoner Lewis, I saw him very frequently, the general opinion of the guards was that he was insane, that was the opinion prior to his being struck with a key by Mr Stedman, a month before this I thought him insane; he was under observation by the guards generally, I cannot say that it was by orders, I had not orders to watch him; he had been confined to his cell a fortnight before Stedman struck him, during this fortnight he was periodically violent and was quiet at times; he would say that he and another party had murdered a man in the States; I heard him say this, I believe reports were made by the guards that he was crazy; for weeks before he was placed in his cell he would sit for hours in the dining hall, and if the Doctor, or any one else spoke to him, would burst into tears, and say he had murdered a man in the States.

E. NEWTON

WM GIFFORD sworn.—Am Prison Guard, was appointed at the opening of the prison; about May, 1876, Stedman struck prisoner, Andrew Edwards with the palm of his hand in the dining room, the prisoner had a piece of bread or meat in his hat; Stedman struck him with the palm of his hand in his face and then took the bread or meat from him; the first summer we opened Mr Stedman used to treat the prisoners very harshly especially when marching; if they would lose the step; he had a stick about two feet six inches long, and the ferule was of iron and was six inches long, he would stamp this down on their feet and legs especially the old men; one in particular, a prisoner named Gibbon from Hamilton, I saw him strike over the ankles several times, Gibbon is over 60 years old, I was the guard on corridor duty the day after Dillon was caught in the yard, I accompanied Dr Aikins and Stedman to the dark cell; he (Dr Aikins) saw a cut on the prisoner's forehead, and asked the prisoner what did that, before the prisoner replied, Mr Stedman said he struck him with a stick; what the Doctor said I did not hear, I then accompanied them round to the dark cell where prisoner Carson was; he (Dr Aikins) asked if he had any complaints, and he said no, the Doctor then left, I saw Mr Stedman when he was visiting the gangs in April last call on Mr Hill, and ask him who was that that was lying in the box; Hill replied that it was prisoner Combe; he (Stedman) went up to the box and took off a lot of prisoner's coats that were lying on top of the prisoner and made him get up; He said "What is wrong with you;" the prisoner replied, "I am sick," Stedman struck him in the chest with his fist, and said "You are not up in the guard room now, the bread you get does not go down easy there is no butter on it;" he then ordered him to be sent in, the blow was given with a closed fist, but not a very hard blow; at the time Dillon was found we had been two days and two nights looking for him; I have never known the Warden or Mr Beaumont to show any difference in the treatment of the guards on account of their religion.

In the fall of 1874, one night when I was in the bailiff's room with the bailiff and Mr McCarthy Stedman came to the door and called me out, and asked me to come down to the office as he wanted to speak to me; I followed him down, and went into the Warden's office; he closed the door and asked me if I would work in with him to try and put the Catholics out of this; I looked at him for three or four seconds, and replied, "I could not do such a thing—my wife was a Catholic." I then turned away and walked out. I knew prisoner Lewis, I brought him from the Toronto Gaol at the time the Prison opened, I remember the time it was said he was struck with a key, I had him in my own gallery up to two months prior to his being struck and saw him several times during these two months, the impression I and the other guards had was that he was getting crazy, I think he had been in the cell a week at the time he was struck, I missed him from the yard, he used to shout in the corridor mornings and nights prior to the striking, I did not see Stedman strike him, Guard Evans said he saw it, I knew prisoner Hazle, he said he made boots and shoes for Stedman; any boots and shoes I got I paid for to Mr Short, this was in November, 1874; Stedman kept the accounts of the shoe-shops, he (Hazle) made boots for other guards; I know Guard Umacke; he is considered a friend of Stedman's, I do not consider myself a friend to Mr Stedman; I knew of partiality towards guards by the Warden and Stedman; I did not see any on the part of Beaumont. In the fall of 1874, I took my gang to bathe at 5 minutes to four; I went to the bath room, on my way going up stairs, I met Guard Umacke with his gang coming down, having bathed. I then went up, got my gang stripped, and waited there about two minutes when Mr Stedman came rushing up, and asked me "if I ran this Institution," I said no, what do you mean?" he said he would let me know, and he reported me to Chief Guard Beaumont. Mr Beaumont came with him to the bath house, and asked me if I was there before four. I said "yes," that my foreman gave me five minutes to get over to the bath house, and that meeting Guard Uniacke's gang coming down from bathing, I thought I was right in going up and getting ready to bathe my men, he replied it was all right, he saw nothing wrong. Mr Stedman met Uniacke's gang going from the bath house to the prison and did not report him, I was in charge of the lumber yard gang, and supervised the gang in the erecting shop, and the blacksmith shop gang in the fall of 1874. In December I came out of the lumber yard with my gang of fifteen men, we were taking sheeting to the north and south machine shops, I had to divide the gang, giving six men to Mr Thompson (the foreman), they went to the north shop, I taking nine to the south shop, I gave Thompson instructions to bring the men to me and instead of doing so he let them come around by themselves, and at the turntable they met two other gangs having no guards with them, and got talking together, and Mr Stedman saw them. He then came to me and asked me if I had any men round in the yard, I said "yes, six with Mr Thompson," he then censured me in a surly manner in front of the prisoners, and reported me to Mr Beaumont; I reported him through the Chief Guard to the Warden. The other two gangs belonged to Guards Doherty and Uniacke. He reported Doherty and me and did not report Uniacke, which I reported through the Chief Guard to the Warden, and brought before the Warden in his office the bathing case. After I reported this to the Warden, he (Stedman) used to visit me eighteen times a day, and before that he would only visit me two, three, or four times. On 2nd January, 1876, I was on guard room duty (it being Sunday). I was on corridor patrol from half past twelve until one o'clock, and was relieved at one o'clock, and went to the guardroom to get my dinner. I went into the guards' dormitory, took off my revolver and belt, hat and stick, and laid them down on one of the married men's beds, and then went to dinner. After dinner I came back to the dormitory, when Guard Kirkpatrick called me and spoke to me, I talked to him quite awhile, I should say about one hour,—I then laid down on the bed, and in doing so moved my hat and stick, but had no thought of the revolver, until the next morning when I went to the cupboard used as an armoury, to get my revolver and could not find it. I asked all the guards if they had seen it, I supposed they had played a trick on me, or that some one had taken it in a mistake, I took a revolver I found hanging in the cupboard. I supposed it to be Guard Uniacke's. About ten or fifteen minutes afterwards I was out with my gang when Chief Guard Beaumont came to me and asked me if I had my own revolver, I said "no," and told him about not finding my own. He said Stedman had received a revolver from a prisoner which he had said that he had found in his cell the night before at half past six, at a quarter past one I was sent for by the Warden, I told the Warden the same facts I have now stated. He censured me, and told me to get my revolver from Mr Stedman. I asked Mr Stedman where my revolver was, and he said in his room. I went to his room and found the revolver lying in an arm chair with prisoner McCarty painting an oil painting alongside the chair, I looked to see, and found the revolver loaded, I reported this to the Warden through Chief Guard Beaumont. The Warden cleared Mr Stedman of all blame at the evening count parade. He read my crime out of the order book, but did not censure Mr Stedman for leaving the pistol on a chair beside which a prisoner was painting. At the same time, there was an order in the book for the guards to sleep with their revolvers under their pillows, and that was why I laid the revolver on the bed. At the time I was brought before the Warden, I stated the pistol was as safe on the bed, as in the cupboard which could be opened with my little finger. About four months after this, the Armoury was built. I saw that Mr Stedman had got Guard Uniacke's revolver three times in the dormitory lying on the bed. I knew, because he came and asked at the mess table where it was, and stated he found it in his bed. Don't know whether it was reported or not, it was never read out in orders. On the the 4th or 5th April 1876, there was a raffle in the guard's dormitory. I saw the armoury wide open, in which were the rifles, revolvers, and keys of the prison, leg irons, and handcuffs. The three guard room waiters (prisoners), were in the room sitting opposite the armoury, and no guard was in the room. I told Mr Hill, and he

and I staid there until the guards came out. The raffle was then going on. It was between six and seven in the morning. I don't know if it came to the Warden's notice. The raffle was for a watch.

I have not on any occasion given information to the Press, or to any one with a view to its going to the Press with regard to the Central Prison. About a week after the Barber escape, I sent a note to discharged Guard Wall. I was told that Wall had written a letter to the "Irish Canadian," and had read the article said to be his. When Wall was in the prison, I knew nothing against him but drink. I have learned that his character is not good, and have dropped his acquaintance. The reason for my writing to Wall was not that my letter might be published. He (Wall) had been my supernumerary for months, and I thought he had been unfairly dealt with. I see now that I did wrong. I made a report in regard to my supernumerary, Wm. Mansell, to Mr Stedman; I handed it to him in writing; he refused to take it, saying he would settle with Guard Mansell himself. This was the day Barber escaped.

To the Warden of the Central Prison.

SIR,—I have to report Guard W. Mansell, my supernumerary, for neglect of duty, on Thursday, 27th. I charge him for giving his rifle to prisoner Foley, and taking the pick for ten minutes, and working with it. 2nd. I charge him with laying his rifle down amongst the prisoners, four times during the day, and while both the gates were open.

I also reported to Mr Wall, that Mr Stedman had allowed Barber (a prisoner) to see Joyce (a visitor) on Sunday, and also, that Barber was allowed to get the long key of the principal doors of the prison. I have seen this.

WM. GIFFORD.

Investigation resumed at 2 30 p.m., 2nd November, 1876.

Guard GIFFORD recalled.—At the time of the escape of Barber, I was ordered to take a ladder to the front of the north wing in order that the slates might be carried up to the roofers; I did not call the attention of anybody to the ladders being there; Stedman told me he had let prisoner Barber see Joyce, the visitor, and that he was afraid of being dismissed on that account; Stedman, after Barber's escape, gave me his revolver, and told me to go and see Joyce, and try and find out where Barber was; I could not find out where Joyce lived, and reported the same to Mr Stedman the next morning; Stedman told me that Barber's wife lived out in the country, and that it was likely he might have gone there, and that the Warden had sent a detective after him; three prisoners escaped from the field gang about the 21st January, 1875, and the Warden, in his annual report, says there was only one; the prisoners' names were Wylie, Deacon, and Cunningham; Wylie is the only prisoner mentioned; I captured Deacon the day after the escape between Goodwood and Stouffville; I believe there was ill-feeling between Stedman and Mr Short, the Bursar, about the end of January, 1876. I was in charge of a gang unloading stone; I had a prisoner under me by name of Fairchild, who said he was sick, and unable to work; I had to coax him to work, and said he might be better after dinner; after dinner he was no better; he complained of cold and vomiting, so I sent him into the blacksmith's shop to warm himself, and told him to come out again in about ten minutes time, and I would report him sick; while he was absent I was called away for my pay, and to relieve the Wall Guards, and while I was away, the Warden, on going his rounds, found Fairchild and other prisoners in the blacksmith's shop; he asked Fairchild what he was doing there; Fairchild said that I had sent him there; I was sent for, and met the Warden in the dining-room; the prisoner was present, and so was Mr Beaumont, the Chief Guard; Beaumont asked the prisoner if he had reported himself sick; he (the prisoner) replied, "yes, three mornings running;" Mr Beaumont asked who he had reported himself to, and his answer was, "to a prisoner, not a guard;" Mr Beaumont asked him if a guard unlocked him in the morning, and he said "no." In the south wing then, and in both wings now, the prisoners were unlocked by prisoners called "cleaners;" this was in accordance with Mr Stedman's orders; the Warden gave Mr Beaumont orders that in future the cell doors were not to be unlocked by a prisoner in the mornings; since Mr Stedman acted as Chief Guard this order has not been obeyed; Mr Beaumont obeyed the order during the time he was Chief Guard. In the month of October, 1875, I was in charge of a field gang, and had Guard Mansell as supernumerary; the prisoners were pulling turnips. Guard Mansell left my gang and went and talked to Guards Wall and Johns for over three hours, and I left the field with my gang without Mansell having returned to me. I made a written report of this to Mr Stedman, and he told me to take my twelve men out again, and gave me a note to Mansell, and said that he (Stedman) would see to the report, but I never heard of his doing so, and at the subsequent counts I never heard it mentioned. Captain Prince was at this time away on leave; Mr Stedman kept prisoner McCarthy (the man whom I found standing beside the chair in which I found my revolver) in his room, making oil paintings; I never saw McCarthy doing anything else than painting, except during one week he was breaking stones. McCarthy was in the Prison a year; Mr Stedman got a lounge made in the summer of 1874; the prisoner who did the upholstering was working with the Canada Car Company, under me; Stedman came and took him away from my gang; he kept him two days, and his time was down in the book the same as if he had been working for the Canada Car Company.

WM. GIFFORD

FREDERICK HILL, sworn.—Am prison guard, was appointed in March, 1875. About February 1876, Mr Stedman came to me in the guard room, and told me to take off my slippers and to go up the farther end of the crank, being the opposite end of the corridor from the stairs, and try and find out who was making a noise. I went up and found it was a prisoner in Number 8 Gallery, one whom I had supposed to be insane. I called to some of the other guards on the corridor: "This is the man who is making the noise;" he was yelling "Capt. Prince. Murder!" Mr Stedman came up with Guards Doherty, Mansell, Eames. Mansell had a lamp. Mr Stedman unlocked the cell door and went in, and asked what he was making a noise about. I can't say just what the prisoner said, it was something about his brother, and then he called out "Capt. Prince, Murder!" I saw Stedman unlock the cell and go in. I did not see anything after he went in until I heard the prisoner groaning. I then looked in and saw the prisoner lying on his right side on the bed. Mr Stedman had his two knees on him and was striking him with a long key. He struck him several times across the back. I cannot say whether the prisoner had his coat on or not. Doherty and Mansell were both in the cell, and I could not see very well what was going on. I saw Doherty strike the prisoner with his fist, while Stedman had him down. I don't know the name of the prisoner. I heard it was Lewis. In April 1876, I was on night duty. I went on in the middle of the week in place of a guard who was found asleep. I found a prisoner named Shaughnessy from Kingston in irons in the East Dark Cell of the south wing. How long he had been there I could not say. Guard Eames told me five days and nights. I went in on Wednesday, he was kept in irons on Thursday. I can't say whether on Friday or not. The report book will show, as I made report to Guard Eames. I visited the prisoner every hour, as I was afraid he would die. He was constantly hanging by his hands, and when I would go to him he would say, "Thank God there is another hour gone by." I don't know whether he was taken down to use the buckets or not. I had not the key of the cell and could not get in. The key was locked up in the Armoury and could not be got unless by orders of the Chief Guard. I was on night patrol.

Report book produced, entry under 1st May, 1876. "John O'Shaughnessy for insolent language to Deputy Chief Guard, seventy-two hours in irons."

In the spring of this year I had a prisoner named Comb in my gang. He had previously been a guard room waiter, and had tried to make his escape. After he had been in my gang a few days he complained of being sick. I asked him if he had reported himself sick to his guard in the morning, which is the usual custom; he said "no," he did not feel very sick then. I told him to wait until noon, and that if he did not then feel better I would take him before the Chief Guard. He was not better at one o'clock, and I made a verbal report to Mr Stedman. He said he was to go out on the stone pile until the doctor came, and he would then be sent for. Prisoner replied "put me in the dark cell." Stedman replied, "I will put you where I choose." Comb went with me to the gang;

when he got out he said, "Mr Hill, I can't work" I told him to go and sit on the stone pile where the sun was shining While he was sitting there Guard Mansell who had charge of the loads at that time came by, and passed a remark how sick he looked. I said I could not help it I had reported him and yet he was ordered to come out. About the middle of the afternoon Comb went and laid down in the box we had for measuring stones. I missed him from the place he was lying on the stone pile and found him on the box covered up with some of the coats belonging to the prisoners He was groaning I thought he was very sick and did not disturb him during the afternoon. Mr Stedman came, and I told him about Comb being so very sick He asked where he was and I told him He told Comb to get up, saying, "It is no good playing off like that you used to eat plenty of butter on your bread in the guard room and now the dry bread sticks in your throat," and he struck him in the chest with his clenched fist. He then sent him inside He was taken to the hospital and ultimately died Prisoner Dillon was in my gang He said Stedman struck him over the left eye after he had given himself up. (Dillon had tried to escape.) He said Stedman struck him with a stick and knocked him down. The left upper corner of his forehead was cut and bleeding and that part of his head was badly swollen. Each day he kept getting worse, the swelling increasing he being hardly able to see out of his left eye On the second day he fainted away I had him taken out of the sun put some salt in his mouth, and poured water in his mouth He was sent inside I saw him next day with a poultice on He did not come out to work for three or four days. I never saw any difference in the treatment of the guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison.

FREDERICK HILL.

MAURICE UNIACKE, sworn—Am prison guard Was appointed at the opening of the Prison. One night during last year that I was on duty there was a prisoner in the dark cell of the name of Hickey He was tied to the ring. Mr Stedman asked me to come down as the prisoner was making a noise and told me to loosen the prisoner I did so, and with Mr Stedman's assistance brought him out. I put the handcuffs on him to bring him to the dungeon underneath. Mr Stedman gave the prisoner two blows on the side of his head with his clenched fists The prisoner was making a loud noise We put him in the dungeon Hickey had been several times in the dark cell and was generally noisy Prisoner Charles Gibbons was an old man. I was in charge of a party in the lower end of the South Wing cutting hair I saw Mr Stedman at the door of the cell in No 11 Gallery, and saw him take a pipe from Gibbons who had been smoking, and strike him twice on the side of his face with the back of his hand. Gibbons has been in the Prison three times. His conduct is generally good and he was quiet. At the time prisoners Dillon and Carson were concealed I was posted at the north gate. We heard that the prisoners were found We had been up two nights looking for them I went into the corridor and saw the prisoners standing there Mr Stedman came in and I saw him strike Dillon on the head with a stick once and once on the arm I think the stick was a walking stick. Dillon had said nothing to Stedman He poked the stick against Carson's ribs pretty forcibly There was a prisoner in the North Wing named Lewis (a lunatic) I was standing on the landing leading out from the Guards' Dining Hall in company with Mr English (the bailiff) I heard the cry of this man, and from the nature of the cry thought he must have been struck with something I heard the other guards say it was with a large key I had seen Lewis before this several times, was under the impression that he was not right in his mind Other guards remarked to me that he was wrong in his mind He had been in the cell for several days I can't say what for, as I was not in charge of that gallery I have never seen any difference in the treatment of the Guards on account of their religion I have not made any report to the Press about the affairs of the Prison I once left my revolver in my bed room I had had taken my belt off and forgot it, and went to my tea. I was reported to and brought before the Warden but the offence was not read out at the Count. I left my revolver another time. I was not brought before the Warden that time I never brought my gang in to bathe before four o'clock, it might have been a minute or two before four o'clock It was thereabouts at any rate. I do not know that there is any ill feeling towards Stedman on the part of any of the guards. I never saw Beaumont strike a prisoner

M. UNIACKE.

HAMILTON LYONS, sworn.—Am prison guard; was appointed at the opening of the Prison; shortly after the Prison opened, three prisoners concealed themselves away in the engine house, with a view to escape. Guard Gracey was on duty, and found the prisoners concealed in the engine house, between the top of the boiler and the ceiling; I went to assist Stedman, who told them to come out; they would not, and he caught hold of one of them and pulled him out between the rafters; I caught hold of one of them and he kicked me; I threatened to shoot him; he said not to touch him, and he would be quiet; I kept my revolver in my hand until we got them all out; by that time all the guards were gathered round; the Warden was sent for, and the prisoners taken into the corridor; Mr Stedman struck one of them with his fist, and knocked him from one side of the corridor to the other. I stood within fifteen or twenty feet of Stedman at the time; the prisoner did not say anything to Stedman previously to his being struck; Guard O'Brien struck another; I said it was a damned shame to knock men about in that way. On several occasions I have seen Mr Stedman, while the men were marching, strike them on the hands and feet with a stick when they did not march in order, or kept their hands down. I have seen a good deal of partiality shown to guards; on several occasions I have applied to the Warden for leave of absence, to go out on family affairs, my wife being sick; I sent in word by Chief Guard Beaumont, and he came out and said the Warden would not grant leave. One time I asked the Chief Guard to allow me to see the Warden personally; I did see the Warden, who refused me leave, saying I was a nuisance and a disturbance, and to put in my resignation and leave altogether; I asked, Why? He said all the guards said so; I asked him to bring in any of the guards who had said so, and he refused; he said he would transfer me from the gate to the wall. I asked him if he would allow me to see the Inspector; he refused, saying I could go after hours; two other guards (Johns and Eames) applied to go down town, and they were allowed to go; they had leave twice or three times. Some time afterwards I applied to Mr Stedman for leave to go to town for medicine for my wife, and he said it was no use as the Warden had refused to allow me to go. This year I applied to the Warden for permission to get some clothes made; he told me it was not allowed; the very next week Mr Short's son, who was working with him, got a suit of clothes made; whether the Warden gave permission or not, I cannot say. Previously to this the box at the gate was opened and my papers and my books stolen; I am not able to give the date. Last year I applied to the Warden for permission to get shoes made for my family, and he refused; a short time after that, Store-keeper McCarthy and Guards Eames and Johns got shoes made for their children; can't say if Warden gave permission. I have never given any information to the press regarding the affairs of the Prison. I have been taken from the gate and taken inside to do guard duty, and sometimes to allow other guards to go away on Sunday; I claim that my duties should be confined to the gate, as I am gate keeper. Mr Stedman has put in charges against me, privately, when Mr Beaumont was Chief Guard.

HAMILTON LYONS.

DANIEL CUNNINGHAM, sworn.—Am Cook and Baker. Was appointed 6th May, 1875. About June, 1875, there was an old man in the prison. Mr Stedman came to me and said he was around the galleries about twenty minutes before and found this old man on his knees as though he might be praying, and that just now he found him smoking, and he (Stedman) said "come and I will show you some fun." I did not go, but Stedman went to the old man's cell, and I saw him kick him several times as he went down stairs. It was in the first or second gallery in the north corridor. I don't know the old man's name. He did not fall. Stedman kept kicking him as he went along. Not long after this, Stedman was about putting Hinkey into the dungeon. I had to go down to let him in, as I had charge of the key of the door leading to the dungeon. Mr Stedman and Guard Uniacke were putting the handcuffs on him. After he was handcuffed, Stedman struck him with his clenched fist. The prisoner was very noisy, and was making a noise when Stedman struck him. I have never seen any difference in the treatment of the guards on account of their religion. Complaints have been made to me about the cooking of the food for the guards' room, sometimes as to its being underdone, and at other times overdone. I have given no information to the press as to the affairs of the prison. A Mr Everest came to me to get information, and I referred him to the Warden. Everest pressed me to give him information as to cruelty to prisoners.

D. CUNNINGHAM.

JAMES CLARKSON, sworn.—Am Engineer for the Central Prison. Was appointed at the opening of the Prison. I know nothing about the treatment of prisoners, or the discipline of the Prison.

SAMUEL DEAN, sworn.—Am Prison Guard. Was appointed 6th May, 1875. I have seen no act of cruelty to the prisoners, nor have I seen any difference in the treatment of guards on account of their religion. I have not reported anything to the press as to the affairs of the Prison. There was an undersized man with long light whiskers who wanted information as to the Prison. I told him to go to the Warden; he came to my house.

SAMUEL DEAN.

WILLIAM JOHNS, sworn.—Am Prison Guard. Was appointed 14th February, 1875. In 1875 a man by the name of Spackman was hidden away. I can't give the precise time. When he was found, and Mr. Stedman was putting him in irons in the dark cell and after he had the irons on, Mr. Stedman struck him on the side of the head with the back of his hand, and said, "you b * * , you have got a good guard dismissed over you." I saw him strike an old man (Edwards) for taking beef from the table and putting it in his hat. About five months ago, I saw Stedman strike a prisoner named Harrigan, who came in saying he was sick, that there was something the matter with his arm. Stedman punched him in the stomach with his fist, and caught hold of the lame arm and raised it up and made the man cry out. Harrigan belonged to my wing. He told me to put him in irons, that he was not sick. He did not want to get instructions from the Warden. I put Harrigan in irons, and then told Stedman the man was moaning. Stedman then went into the cell and commenced punching prisoner in the ribs, saying "you are not sick." The prisoner kept saying "don't Mr. Stedman." The prisoner was taken down in about three hours. He was sent to Guard Dean. He was employed, before being punished, in the broom shop.

A prisoner named Farrell looked very sick when he came in from work; Guard Eames reported it to Mr. Stedman, who ordered Farrell to be put in irons; Eames went to do it and could not effect it alone, so he came for me to help him; the man was so sick he could not stand up and we had to lift him and forced his hands to the ring; I held him up while Eames put the handcuffs on; we both came away and Eames locked the dark cell door; I said to Eames "we had better see Stedman about that man." Eames then went back to the cell door and found the prisoner hanging by his arms, his head hanging on his shoulder; we then took the responsibility of taking him down and left him lying on the floor, and Eames reported the case to Mr. Stedman, who said "let him lie there," and he was left there; the doctor came the same day and treated him as a sick man; was ordered to put prisoner Bazy (colored man) in irons, but could not do it; I told Mr. Stedman and he drew his revolver and pointed it at Bazy's head; Bazy said he would not go into irons until he saw the Warden; just then the Warden came and ordered him in irons. Mr. Stedman then put him in irons, he being quiet. I got orders from Stedman not to let him down for any purpose, and he directed me that when the prisoner wanted to use the bucket to place it on a chair and lower his pants, and when the prisoner was done with the bucket, to button up his pants after cleaning the prisoner; was ordered by Stedman to put the prisoner Wells in irons; I do not know what for; he was treated in the same manner as Bazy. I have not seen any difference in the treatment of the guards on account of their religion; I have not reported anything to the press about the prison.

WILLIAM JOHNS.

Investigation adjourned until 7.30 P.M.

Resumed at 7.30 p.m.

HENRY EAMES, sworn.—Am Prison Guard; was appointed at opening of Prison; about two years ago I was on evening duty, and heard some shouting in the north wing; I saw Mr. Stedman and Guards Doherty and Mansell going to the north wing; Mr. Stedman had a long key in his hand I followed them when I got there I saw Stedman kneeling on (Lewis) a prisoner's chest, and striking him with the long key, I did not stop to witness the whole, but came away; Lewis was shouting Guard Doherty was holding him, while Stedman was beating him, Mr Beaumont told me in the morning that the case was reported, I thought Lewis was insane prior to the beating by Stedman and other guards told me they thought he was insane, when Stedman came back to the guard room he had the key in his hand he said the key was bent, he did not say that Lewis attacked him about April, 1875 prisoner John O'Shaughnessy had been reported for talking, and the Warden stopped his supper, Beaumont brought the report to me, and told me I was to tell him to go without his supper, as he was reported for talking, I told the prisoner his supper was stopped and he said "very good," Stedman came up behind and asked what he said, I said "very good," Stedman followed the prisoner to his cell, I do not know what took place there Stedman came back and told me to put the prisoner in irons he remained in irons five days and nights, I had charge of him in day time and Guard Hill had charge of him at night part of the time and Guard Stratton the balance of the time during the time I had charge of him (in day time) he was taken down to his meals, his hands were loosed but his legs remained in shackles, the meals were given him in his cell his food during these five days was one pound of bread per day, during these five days he was in irons he was very quiet the second day he was in irons he asked to see the Doctor, I sent in a report to the Chief Guard that he was sick no answer came the Doctor never came to my knowledge, on the fourth morning when I went to his cell to relieve Guard Hill he told me the prisoner had been moaning during the night, and he thought something was the matter with him I went into his cell to see what was the matter, and the prisoner told me that during the night he wanted the bucket, but could not get down to use it so he had answered the calls of nature in his pants he also said he wanted a drink of water, but could not get it I had to lower him down from the ring, and when I gave him some water he dropped down on the bucket, then I gave him his bread I returned to his cell after breakfast and I found that he had not eaten his bread and that he was asleep, I tried to awaken him to put him up to the ring again but could not, I reported to Mr Stedman that he was much exhausted, not having eaten his bread for two days, and that it would be dangerous to put him in irons any more that he was too far gone, he replied, 'let the b—— die" Stedman did not go down to see him at that time, I got one of the prisoners to help me put him up, he remained up all that day and night until the middle of the next day he was then taken down and removed to his cell He remained in his cell the remainder of that day and all the next day lying in his bed, and the day after was sent to work. About nine months ago a young man named Farrell, about nineteen years of age, reported himself sick from one of the shops He was brought in and Mr Stedman ordered him to be put up to the ring I was not able to do so as he would not stand, and I got Guard Johns to help me We put him up but he bore all his weight upon his hands, so I told Guard Johns I would wait and watch whether he would rest on his feet, but I found he did not stand on his feet and took the responsibility of letting him down. His head was lying on his shoulders before I let him down When I let him down he lay down on the cell floor I reported the circumstance to Mr Stedman. He left him there on the cell floor until the doctor came. The doctor came in the evening. I went with him to the cell The doctor said he had a touch of the fever, and he was sent to his cell under the doctor's treatment. About six months ago a prisoner by the name of Collins was working as tailor on the bench in the dining-room. Mr Stedman brought him to me and told me to put him in irons I don't know the offence When I got to the dark cell he refused to be put up to the ring until he had seen the Warden I reported the fact to Mr Stedman, and he went down to put the handcuffs on him, and afterwards abused him a great deal He jammed his head against the wall until the blood came out of his ears and then fastened him to the ring He was released, by order of the Warden, next day. About nine months ago Mr. Beaumont was transferring some of the reformatory boys from the north wing to the south wing. I remained in the south wing. Mr Stedman said to a prisoner named Gnestock, "come along with me, I want to show you something He took him to the dark cell, where I saw Stedman draw his revolver and put it to the prisoner's face, and say, do you see that? you will get the contents of it if you don't behave yourself in the south wing and then sent him to his cell Prisoner Gordon reported himself unfit for work about four months ago Mr Stedman brought him in and told me to put him in the dark cell but not in irons. I asked him if I should give him his food, and he said "no" He was there until the doctor came that evening I heard the doctor say he was sick, and ordered him to be sent to the hospital I have often seen Stedman use the stick to men when in marching order, but not lately I did not think much of it. I never saw any difference in the treatment of guards on account of their religion I have not reported to the press any of the transactions of the Prison

H Eames

Michael Woods, sworn.—Am Prison Guard. Was appointed 4th Feb., 1873 I have not seen prisoners ill treated. Have never seen any difference in the treatment of guards on account of their religion. I am not satisfied with the food we get at mess. I think the discipline too severe.

Michael Woods.

John Breadalbane Campbell sworn.—Am Prison Guard Was appointed 13th April 1875 I never saw any cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion The food at mess does not suit me.

John B Campbell

Geo Franks, sworn —Am Prison Guard was appointed 3rd July, this year I know nothing of ill treatment of prisoners Have never seen any difference in the treatment of guards on account of their religion I don't think the food at mess is properly cooked, and we have not sufficient variety

G. W Franks.

Chas Priest sworn.—Am Prison Guard. Was appointed 9th January, 1875 I know nothing of cruel treatment of prisoners. Have never seen any difference in the treatment of guards on account of their religion

A C Priest

William Hardie sworn —Am Prison Guard. Was appointed in August, 1874 About four months ago, prisoners Dillon and Carson attempted to escape, and were found at three o'clock on Sunday morning and brought into the corridor I saw the Deputy Chief Guard (Stedman) beat them with a stick. He struck them both several times, it was a walking stick; I saw nothing more I have seen no difference in the treatment of the guards on account of their religion. I knew Mr Beaumont, I served in the 13th Hussars with him, I was sergeant, he was sergeant at the same time with me for about two years, I was with him ten years in the regiment. At the time I joined the regiment he was under arrest for theft or something He was tried by a District Court Martial and sentenced to imprisonment in a military jail. I cannot say how long it was—either forty two or fifty-six days—and he was reduced to the ranks the crime was making away with the soldiers clothing. He had been seven or eight years in the regiment before I entered it. Since I came to the Central Prison Mr Beaumont spoke to me about our being in the Hussars together and also spoke about the cause for which he was tried and said that at the time of his appointment to the office of Chief Guard, he explained all to the Government. He told me some one had written to the Government after the appointment informing them as to his difficulty in the army, and I think that caused him to tell me

W Hardie.

Adjourned until 2, p.m. tomorrow

Investigation resumed, 3.20 p m., 7th November

W J Aikins, sworn.—Am Surgeon for the Central Prison was appointed at the opening of the Prison, knew prisoner Lewis, I certified on the 5th January 1875, that he was insane, I understood Dr Richardson and the County Judge also examined him separately, and gave similar certificates, he was sent to the London Asylum, 19th July, 1875, I have no other entry regarding Lewis, and have no recollection of anything further as to his insanity; I have a distinct recollection of being told that Lewis struck Stedman, or struck at him, with a part of his bed, but I cannot say whether it was Stedman told me or not, I heard that Stedman had struck him with a key, I don't think I examined Lewis' body, I don't recollect Lewis making a complaint to me. On reference to my diary, I find the following entry under date February 19th, 1875: "Lewis, William Guard, and John Elms, prisoners insane, sent to London Asylum this morning"; Elms had fallen while marching in the square and severely bruised his right arm; it was uncertain whether there was a fracture without displacement and crepitus, it was still very much discoloured when he left the Institution; I do not recollect anything about Lewis being gagged. I understood the rules of the prison required that I should be present on all occasions when corporal punishment was inflicted; I was not present when prisoner Finlayson was flogged in January, 1875, and until lately never heard he was flogged; I knew prisoner Dillon, I remember him having a contused cut on the upper and left part of the forehead, which did not extend to the bone, or to the covering of the bone; I ordered a poultice to be put on the wound. I understood he had been struck by Mr Stedman; I think it was after his capture, he, Dillon, had escaped and was recaptured. I knew prisoner Comb, he was one of the Reformatory boys; he was a soft, growing lad; I understood one day he had been sent out to the stone pile; on the 23rd March 1875 he came into his cell and on the 25th March was sent to the Hospital; he died on 3rd May of pleurisy and inflammation of the lungs. I think I know prisoner Farrell; on the 27th April, 1876, I visited him in a cell—I do not think it was the dark cell. I found him feverish and ordered him a warm bath and a powder to act as an emetic and purgative; this statement I make on reference to the Hospital day book; no further entry is made with reference to him; if he had not been better there would have been an entry. Have heard Evans' evidence read and it may be correct that I visited Farrell in the dark cell. I don't recollect prisoner O'Shaughnessy; there is an entry in the Hospital day book Mar 12, 1875, "O'Shaughnessy constipation, dose of salts and senna"; last night Mr. Stedman showed me some of the charges against him and I find he was placed in irons 7th Mar 1875. I knew prisoner Gordon; he was being treated for gonorrhoea and swelled testicle on the 16th, 19th and 20th June 1876; on 21st was sent to the hospital; I can't say whether I saw him in the dark cell or not; his discharge from the hospital has not been entered, but he was evidently out of it by the 4th July, as on that day he had his testicles strapped, and was able to work and did not remain in the hospital, and on the 9th he was treated again but was able to work. No charge of cruelty to a prisoner or any person has been made to me as Prison Surgeon; I don't remember dressing any wound for any prisoner other than Dillon and Gunstock; Gunstock had bruised marks across the small of the back and side; I understood he had been punished and I thought they were pretty severe; the flesh was well discoloured but the skin not broken. I don't recollect any prisoner reporting any cruelty or any undue severity while in irons. I cannot give the date Guard Bollard asked me to pronounce whether a prisoner then in the dark cell was fit to be put in irons again; he had been in irons and I think he had been let down prior to my seeing him; he was a delicate lad about 15 years of age, and I gave my opinion that he was not fit. On another occasion—I can't give the date or name—I was asked to see a man who was in irons, and found he was spitting and coughing and told the guard he was not a proper case to be put in irons, and he was taken down; some six weeks ago I was asked to see a prisoner in irons and I found he was fit for that kind of punishment; on several occasions I have been asked to visit prisoners in irons, sometimes the Warden and at others Mr Stedman or one of the guards would ask me to visit prisoners in irons. I don't recollect being called to see Dillon, Hickie, Spackman, O'Shaughnessy, Wells, Farrell, Busy, or Collins while they were in irons; I think it is likely I was called to see them, but don't recollect. I have sometimes talked to prisoners when the tears would come into their eyes, and when they expressed penitence they were taken down without my asking; I find no reference in the hospital day book that on August 8th, 1876, Herrigan presented himself as sick, and had a dose for alleged indigestion; I did not consider him sick, but gave him the benefit of the doubt; on the 11th of the same month he complained of a pain in the shoulder; I gave him some hartshorn and water with which to rub his shoulder; he did not appear again; prisoners often believe they are sick when they are not, and I am satisfied they often feign sickness when well; I have often remarked to

Stedman that prisoners feigned sickness, or that they believed they were sick, I have heard a prisoner say who was in irons, that he would rather be in irons than work, my opinion is that it is better to flog a man than to put him in irons for over 48 hours, I think it would be more wholesome to the rest of the prisoners and more effective as a punishment, I think the prisoners prefer being in irons for a long time to flogging.

W. J. Aikins.

Roland B. Orr, sworn—I am a final student of medicine. Was attending at the Central Prison Hospital under Dr Aikens for about six weeks—from 6th May until in June, 1876. I was there every day, sometimes twelve hours at a time. I was alone with the sick prisoners, Beaumont was not there. Stedman was Acting Chief Guard. Don't know the time when prisoners sentences expired. Some left during sickness, others had to remain three or four months after they were cured. I had no conversation with prisoner Dillon. I asked several of the prisoners in the hospital how they were treated, my reason was that I had seen charges of cruelty in the papers. A very large majority of them said they were well treated. I did not hear them express an opinion regarding Stedman. Some complained of their treatment, but it was generally confined to the Prison diet. Shortly after Dillon was struck by Stedman some of the prisoners were questioning me about it. I said that the guard had been kept up during the night to try and find Dillon and Carson, and the majority of the prisoners said it served them (Dillon and Carson) right, that they had no business to try and do what they had done. Did not know a prisoner named Coombs. I took my meals in the guard-room. Sometimes one or two guards would be present. I have heard the guards complain of Stedman being too strict. I cannot recollect of any prisoner complaining of any ill treatment by Mr Stedman. Am twenty four years of age. From what I heard the guards say, I should judge they had more liberty under Mr Beaumont than under Mr Stedman, and that they preferred Beaumont on that account.

R. B. Orr.

Adjourned.

Investigation resumed at 8.30 p m

Dr Aikins examination resumed.—I find that on 27th April 1876, when I ordered the warm bath for Farrel I visited the Prison at 10 o'clock in the morning, and did not visit it in the evening. If a person's head was jammed against the prison cell wall until the blood ran from his ears, the probability would be that his skull would be fractured and he would be insensible, no such case has come under my knowledge since the opening of the Prison. I have known Mr Stedman ever since the Prison opened, I consider him a sober, exceedingly industrious, very intelligent and active man, and, so far as I am able to judge, he has discharged his duties with a great deal of intelligence and zeal, and if he has erred it has been from excess of zeal in endeavouring to make the management of the institution as perfect as possible. I have never seen any harshness on the part of Mr Stedman to the prisoners. I have frequently seen him when a man would come up saying he was sick give him a quiet poke in the side and say "I guess there is not much the matter with you" and frequently the man would laugh. He has displayed an interest in the physical welfare of the prisoners, by calling my attention from time to time to the quality of the food, or the way in which it was prepared, also to the clothing of the prisoners, and on one occasion particularly, when he called my attention to the fact that prisoners during the colder part of the year, should not be allowed to take off a thick flannel shirt and put on a thin one. On another occasion he called my attention to the want of ventilation in the kitchen, owing to the door leading to the store-room being closed, he also called my attention to the prisoners being taken out in the rain. He is a thorough disciplinarian, and any man discharging his duty fearlessly at the Central Prison will make enemies, and Mr Stedman has made enemies. I have heard no complaints on the part of the guards against Stedman, it was a sort of undercurrent of grumbling.

W. J. Aikins.

Richard Stedman, sworn.—Am acting Chief Guard. Was appointed Deputy Chief Guard at the opening of the prison, and on the dismissal of Beaumont on 8th March, 1876

I was appointed acting Chief Guard. I am not aware of being overbearing to Mr Short (the Bursar). In making requisitions, I acted under and in accordance with instructions from the Warden. I never said to bailiff English that the Chief would soon occupy Mr Short's chair, and that I aspired to the Chief's position. I did not consider Mr English friendly to me, and did not give him any confidence; in fact I was on my guard when talking to him. I did not indulge in expressions of hostility towards any of the guards. I have had frequently to report, more than any one else, the cook (English) for smoking, reading newspapers, and being asleep in the kitchen. Sometimes McCarthy (the Steward), is friendly, sometimes not. I have had to report him, but cannot now say what for. I have frequently had to report Guard Axworthy, as he was very careless. Guard Coutts was in sane. I had to report Gracy. I have reported guards whenever I found it necessary without fear or favour. I have never spoken to any prisoner about the officers of the prison, and have not on any occasion invited the confidence of a prisoner. I did not strike prisoner Hunt as stated by Mr Short. Prisoners' hair was always cut short up to the day of release, until about a year ago, since which time we do not cut the hair for a month prior to their release. I used Hunt just as all the others were used, and acted in the matter of hair cutting under orders of the Warden. Willis was insolent to one of the guards, and as a punishment the Warden ordered him to be removed from the stores to the stone pile. I never cut up any prison sheets for my own use. There were four sheets made into clothes for a little coloured boy (a prisoner); we had no clothing small enough, and Mr Beaumont ordered them to be cut up. I knew prisoner Lewis; he was one of the first prisoners moved in. He was a very treacherous man; he struck a prisoner over the head with a shovel in the foundry, about the end of December 1874. While I was on duty in the guard room, there was a great row in the corridor; I went out, and the corridor guard came up and said prisoner Lewis was breaking up all the furniture in his cell. I told Guard Doherty and two of the other guards, I forget their names, to go down and bring him (Lewis) out of his cell down to the dark cell where there was no furniture. I then reported him to the Warden. This was about half past nine p.m. I reported him to be breaking up his cell furniture, and tearing his clothes. He told me to tie his hands behind his back and gag him, to prevent his making such a noise. I went back to the guard room and got a cord and a piece of pine wood, and made a sort of gag. When I got to the gallery I found the three guards outside of Lewis's cell, and Lewis inside defying them to come in. I told them to open the door and let me get in; as soon as the door was opened Lewis flew at me with a piece of iron he had taken from his bed. I had a long key in my hand and I struck him across the buttocks, and then closed on him, and we both fell to the ground, and that is the time he got the licking with the key and the rope both. When he and I were clenched together, Guard Doherty tied his hands and gagged him. We then left him sitting up on a part of his bed. Guard Doherty is not in this country. I told the night guard to visit him frequently. I reported to the Warden next morning that I had struck the man with the key, and that Lewis had struck at me. The other guards—I don't know their names—struck him with their keys when he and I were down. I struck Lewis in self defence. Up to that time I never heard of his being insane. I did not hear any of the guards speaking about his being out of his mind. I told the night guard to report to me if he saw anything wrong; I gave no orders to him about the gag being taken out if quiet. In about three quarters of an hour the guard came to me and said "It is very little use tying that man, he has got his hands in front and has pulled the gag out of his mouth." He was found tied all right, but his hands were in front of him. I gave Finlayson 15 lashes across the buttocks with a rope's end; Finlayson was about 19. The Warden ordered me to inflict this punishment. Beaumont then commenced and flogged him over the head and shoulders with a white oak stick. He was very faint when I took him down and was covered with marks from the small of his back to the top of his head. The Warden did not order the beating by Beaumont. He had secreted himself with the intention of escaping, and the punishment was for that. I remember bailiff English being brought before the Warden for making a noise the night previous, but do not recollect the particulars. I had nothing to do with Newton's statement, had not spoken to Newton about it. When it was my night on, I have often sat up until 12 o'clock at night when it was known the Bailiff was coming with prisoners. There is an order preventing boys going through the prison. I did ask Mansell if he was not aware of the order against children going through the prison. As regards the charge made by Mr McCarthy as to my keeping on my hat at Catholic service, and not allowing the man to kneel. I may state that it was fully investigated in 1875, and Mr Crooks disposed of it. So far as I am concerned by ordering me to be censured. Since that I have never used any objectionable language to a Catholic guard reflecting in any way on his religion. The charge that I was ordered to hound down McCarthy is not true. The charge as to Guard Somers was investigated in 1875, and disposed of by Hon Mr Crooks. Mr McCarthy's charges were all made at the investigation held in 1875, and were adjudicated upon. I produce the stick I generally use when on duty. It is a very light cane; I sometimes use other canes, but they are all light. I have often tapped Gibbons on the heels to keep him in step as well as other prisoners. Other guards have done the same. Sometime ago, the Warden ordered that practice to be discontinued, and it has not been practised since. The Warden made the order on account of Guard Mansell striking a prisoner in the front grounds, across the back, the Warden saw it. The general practice was to tap men on the heels to get them into the step. There are standing orders that for certain offences prisoners are to be put in irons, and then reported to the Warden, and in other cases for them to be put in the dark cell and then reported. I don't think these orders were in writing. The offences referred to were;—all acts of violence, fighting, threatening the guards, and all insubordination and refusing to work; for these offences the prisoners were to be put in irons and then reported. For talking, smoking or other minor offences the prisoners were to be placed in a dark cell, and then reported to the Warden. If a prisoner said he was sick, and I thought, when reported to me that he was scheming, it was in order that I should put him in irons and then report. There were no chairs made in the prison for me. I made two chairs for myself. I made a table in the Guard Room and inlaid it myself. I got the board planed in the prison. I made the box myself, and the inlaid work I did myself. I bought the different sorts of wood down town. The Warden gave three trees to Guard Umsoke. I gave him none. Prisoner Walter Jones was a waiter in the guard room. He cut bone work for every guard then in the prison. I can't say how much he cut for me. He worked in my room for the vice and tools are there. Prisoner McCarthy painted for me in my room. The Warden gave permission. He painted pictures for the Warden, they are now in the building. He painted pictures for Chief Guard Beaumont, Guards Newton, Hill Gifford, Eames, Johns and myself. The pictures—all but those of the Warden—were taken away mine by consent of the Warden, I can't say as to the rest. McCarthy was not able to work at anything else. I did not strike Jones or any other prisoner sufficiently hard to take the skin off his fingers or to cause it to come off. I took either meat or bread from a prisoner he who had placed it in his hat, and struck him on the ear with the back of my hand. It may have been Edwards.

Adjourned.

Resumed 10 a.m. 8th November, 1876.

R. STEDMAN'S examination continued.—I knew prisoners Dillon and Carson, about two months ago they secreted themselves with a view to escaping from the prison. They were out two nights and one day before being found. I received instructions from the Warden that when I found them I was to give them a good licking. I did so. I gave them six stripes apiece over the shoulders with my walking stick. It was an ordinary walking stick and not very heavy. It was not the small walking stick produced yesterday. The cane I struck Dillon and Carson with had not a ferule on six inches long. I then put them in the bath, and after washing them found that Dillon had a scar on his head. I don't know whether I had done it or not. I don't think I did. He had been poking around in the dead of night and may have received the injury in that way. I have no recollection of telling Dr. Aikins that I struck Dillon on the forehead. They, (Dillon and Carson) were then placed in the dark cell in irons for 36 hours, and wore leg irons during the balance of their term in prison. I did not knock prisoner Dillon down with my stick. I knew prisoner Comb. About April last, I received a report that he was sick and unable to work. I went out and found him lying in a box covered up with prisoners' clothes. I made him get up. He said he was sick and not able to work and that he was not scheming. I sent him inside to his cell. I have no recollection of having put a hand on him. There was no occasion, he was quite a soft boy, and well behaved up to the time of his attempted escape.

I knew prisoner Hagle. He made me boots and shoes upon requisition and I paid for them. I can't say how many pair I got made. There were two pairs boots, and one pair shoes. There may have been more. I have had boots and shoes repaired. It was the custom of the prison and other guards did the same. I remember reporting Gifford for bringing in his men to bathe before time. It came to my knowledge afterwards that Guard Uniacke had bathed his men before Gifford. Why I did not report Uniacke I cannot say. I do not consider Uniacke a friend of mine. I don't remember reporting Guards Gifford and Doherty, and not reporting Uniacke, in December, 1874. I never made any change in my practice in visiting guards owing to any supposed, or real difficulty between us. Last January prisoner Bazy was in the guard room, as waiter. In the evening he brought a revolver to my room, stating he had found it in his cell. I took it from him, and asked him if he knew whose it was, he said "no," and I put it in my drawer. In the morning, I handed the revolver to Mr Beaumont, and reported the circumstance. Beaumont laid the revolver on the table in my room. He then paraded the wall guards, and came back to the room and then went out. I went up some time after, and found the revolver on the table. I placed it behind the cushion in a chair. There was no one in the room at the time, but a prisoner may have come in afterwards. The Warden investigated the matter, and it was found that the revolver belonged to Gifford. I told Gifford the revolver was on a chair behind the cushion in my room. The revolver was loaded. I did on two or three occasions, find Guard Uniacke's revolver lying on the bed in the dormitory. I did not report him, but threatened to do so the last time, and have not seen a revolver in the dormitory since. There have been two or three raffles for watches in the prison. Don't remember anything about armoury being opened. I never told Guard Gifford I had let prisoner Barber see a visitor (Joyce) and that I was afraid of being dismissed. I could not have done so, as the Warden gave his permission. I never heard an order read requiring the cells to be unlocked by guards only, and the Warden told me nothing of the kind. My recollection is, that there were two or three complaints made against Mansell, by Gifford and that I reported to the Warden in the yard, verbally. Mr Bams gave me the labour of a prisoner to upholster a lounge, and the work was charged to the Canada Car Company. I knew prisoner O'Shaughnessey. On the first May, 1875, he was ordered by the Warden to be placed seventy-two hours in irons. At the breakfast hour when the men were marched down to breakfast he was not pleased with his breakfast, and threw it across the table, saying if he were the boys he would not take it, he also at that time swore at me before the prisoners and threatened me in the words "I'll do for you, you G——d d——n son of a b——h." I reported this to the Warden who ordered him to be put in irons 72 hours, he was placed in irons and the instructions to the guards were that he was to be taken down to use the bucket, he should have been taken down to his meals and put in irons again, he should not have been taken down at night, I cannot say how it was as to O'Shaughnessey, prior to this O'Shaughnessey was one of the worst prisoners we had, and after that, one of the best, I never said to Guard Ennes "let the b——r die," he is correct as to the food, prisoners in irons are allowed a pound of bread a day and water, no prisoner has been confined five days and nights in irons since the opening of the Prison. When I went into the cell to prisoner Hickey (as stated by Guard Uniacke), it was between eight and nine, and it was dark, I released Hickey—he was in irons for insubordination—myself, and when I had loosened one hand and he had possession of his left, he said he would not allow any black son of a b——h like me to take him to the dungeon, when he was saying this Guard Uniacke was unfastening the shakles from his legs, I struck Hickey on the side of the ear with the back of my hand, and that but once, I don't recollect striking Gibbons, I did not poke my cane against Carson's ribs, I recollect the prisoners referred to by Guard Lyons, they were Gunstock, McKenna and Pomroy, after they were found they were struck by all the guards present, I struck McKenna, it was for secreting themselves they were struck, they were placed in irons for 24 hours, I do not know whether they worked in shakles or not for the balance of their term, I have no recollection of the circumstances referred to by Cook Cunningham as taking place in June 1876, I never kicked an old man down stairs, I never struck prisoner Spackman, Guard Johns statement as to my striking Spackman and to the expressions I used to him (Spackman) is untrue, the Warden was present all the time, I never struck prisoner Harrigan, he was in the north wing, and Guard Johns reported him sick, I asked Harrigan what was the matter, he said a pain in his arm, I took hold of the arm and lifted it up to see where the pain was, and he cried out, as he had often done before. I told him there was nothing the matter with him, and he would have to go to work and I put him in irons and reported to the Warden who said I was to leave him there until the doctor came, I can't say how long he was left there, I went to him some time after he was making the same complaint, and thinking there might be something the matter with him I took him out of irons, the doctor visited the prison shortly after and examined Harrigan and told him there was nothing the matter and sent him to work. I did not punch him in the ribs. I knew prisoner Farrell, some time in April or May this year I found him in his cell asleep with his clothes on including boots and hat, this was the marching out time in the morning, he complained of being sick and I took the Doctor to see him, he ordered him to have a bath and to be sent to work next morning. I sent him to work next morning, the morning afterwards he came to me and said he was sick and unable to work. I said I thought there was nothing the matter, and that he could either go to work or to the dark cell, he said he did not care a d—n whether he went to the dark cell or not. I then put him in irons, that same morning I reported the offence to the Warden and that I had placed the prisoner in irons, in passing through the dining hall a guard told me (I think Eames) he thought Farrell was sick, and I told him to take him out of irons, and to leave him in the dark cell until the Doctor came, the Doctor came and on examining the prisoner pronounced him well and sent him out to work, he worked in the fire hole for the Car Company, and did not complain of sickness afterwards. I knew Barry a prisoner. I ordered him to be put in the dark cell for threatening me in the yard. I forget the date, Guard Johns came and told me Barry would not be put in irons, just then the Warden came along, and I told him I had ordered Barry to be put in irons for threatening me, and that he had refused to be put in irons, he went down to the dark cell with me. I went into the cell, and when Barry refused to be put in irons, I drew my revolver to frighten him (it was not loaded at the time), but he still refused, saying he would not go in irons unless the Warden ordered him, the Warden then gave the order and he allowed me to put him in irons, I never ordered Guard Johns not to lower Barry down for any purpose or to put the bucket on a chair when he wanted the bucket, prisoner Wells was put in irons, but I did not order Johns or any other Guard not to lower him down for any purpose, I saw Wells down sitting on the bucket myself. Wells was not in irons more than once, I do not remember saying to Guard Eames on my return to the guard-room after the trouble with prisoner Lewis, that the key was bent.

Adjourned.

Investigation resumed at 2.30, p.m., 11th Nov., 1876.

MR. STEDMAN recalled.—About the beginning of this year I was passing through the dining hall and found Collins quarrelling with one of the tailors, and threatening the tailor with a pair of scissors. (The prisoner Collins was serving out a two years sentence for stabbing). When I spoke to him he was very insolent, and I brought him before the Warden who ordered him to be put in irons, Guard Eames took him to the dark cell, and returned to the officer and stated that Collins would not go into irons, and he could not put him in, I went to the dark cell and told Collins he must go into irons, he would not and I then threw him down, and while down he kicked me in the breast and once in the privates, the last kick I am not over the effects of yet, I put the irons on and put him up to the ring, I did not jam his head against the cell wall, his punishment was to have been 56 hours in irons, but the Warden visited his cell the next day, and on his promising to behave himself in future, ordered him to be let down and he was taken down and sent to work. I never presented a revolver at Gunstock. I did order Gordon to the dark cell, he had been discharged from the hospital by Dr Aikins a day or two before, and refused to work, and I told him he must either work or go to the dark cell; he said he would go to the dark cell, and I sent him there. The same day, or the day after, Eames said he would take Gordon as a cleaner and he was allowed to work under Eames as a cleaner. I have had conversation several times with Dr. Aikins about prisoners' shamming or pretending sickness when quite well. The Doctor has often examined prisoners who said they were sick and has sent them down to work, as he found there was nothing the matter with them. The Surgeon visits the Prison at irregular hours, sometimes at 10 a.m., and at all hours from that until 8 p.m. He does not come every day. Sometimes Dr. Wagner comes. Sometimes a day elapses without either of them being here. The rules require the Gaol Surgeon to visit the Prison at least once a day, not later than 9 a.m., and oftener if required. It is almost impossible to tell whether a prisoner is shamming sickness or not, if the Doctor is not present.

All these charges brought against me for putting prisoners in irons, are cases when the other guards were unable to put them in.

I was sent to Albany before the opening of the Prison under instructions from the Inspector and Warden, for the purpose of learning the management and discipline of that place. I saw one or two prisoners punished; they were placed in irons, and a black cap drawn over their heads, so that they could not see; the ring is placed the same as in the Central Prison; I don't know the character of their offences or the term of their sentence; the treatment of the prisoners in that institution is much more severe than here.

I never reported anything to the press since I was appointed Deputy Chief Guard in 1874. If the other guards cannot put a man in irons, they come to me. There was a prisoner of the name of Ormond who one morning, would not come out of his cell to work; three of the guards went to bring him out but were afraid to go into his cell, so they sent for me, and I brought him out and placed him in irons in the dark cell; after he was in irons Beaumont took off the prisoner's boot, and beat him over the head, and cut his head open in two places; that man was never reported to the Warden; it was Beaumont's duty to report; he was kept fifty-six hours in irons; I told the Warden about it one or two days afterwards. A prisoner named Quinn would not leave the cell, and when I went to the cell I found Beaumont beating him with a stick. I refused to bring the prisoner out. I once found a knife on O'Shaughnessy when I was putting him in the dark cell. It may have been the time referred to in the evidence given by the guards.

RICHARD H. STEDMAN.

CHARLES BRANDON, sworn.—Am head foreman in the Mechanical Department of the Canada Car Company's works in the Central Prison; I never saw any cruelty to prisoners; they are not punished in my presence; when prisoners have been in irons, I have noticed their wrists were swollen and their arms would be stiff. There has been no ill-treatment of prisoners inside of the shops so far as I know. I never was employed in any industrial prison before. About March, 1876, prisoner Perkins reported to Guard Kirkpatrick that he was sick and unable to work; the guard told me he reported him; the prisoner was brought back, and left standing near the door; I thought Perkins unfit for work.

A. BRANDON.

Adjourned.

Resumed 3 p.m., 13th November.

GUARD NEWTON recalled.—The bone and ivory work referred to by me in my former evidence consisted of ear-drops, crosses and other ornaments for watch chains. I don't know whether Jones made bone-work for other guards or not; I have seen bone ornaments on other guards, and hair watch-chains, but don't know how they got them. I never had any bone-work made by prisoners. This was prior to May, 1875; the Warden about that date, issued an order forbidding guards having any work of the kind done by prisoners.

Mr. Stedman told me the bone-work was for him. I think prisoner Lewis was confined in his cell, because he was considered insane; I understood so at the time; the next morning after Lewis was beaten, I heard it talked about by the guards; I never heard any of them say that Lewis had offered to strike Stedman before Stedman struck him with the key or that he resisted in any way nor did I hear that any of the guards were afraid to go into Lewis' cell I have seen prisoners resist when being put into the dark cell It is a common thing to find knives and files on prisoners. I think they get those things for carrying on bone work in the cells.

E Newton

Guard Eames, recalled.—After Lewis was struck by Stedman it was talked about by the other guards, I did not hear any of them say that Lewis had offered to strike Stedman before Stedman struck him nor that any of the guards were afraid to go into Lewis cell. Before Lewis was struck, he was considered insane, he was allowed to go around the prison yard, and not made to work.

I have put men in the dark cell and on searching them have sometimes found knives and files. I never knew or heard that any prisoner had drawn a knife or file on a guard

H Eames

Guard Johns, recalled.—I assisted Guard Eames in putting Farrell in irons about April of this year I cannot state the time I put prisoner Wells in irons, I put the prisoners who are in the north wing in irons when ordered no other guard does this duty unless acting Chief Guard Stedman who sometimes puts prisoners in irons himself I recollect guards in the guardroom talking about Stedman striking Lewis with a key I did not hear any of the Guards say that Lewis offered to strike Stedman before Stedman struck him I did not hear that the other guards were afraid to go into Lewis' cell. I sometimes find knives and files on prisoners when searching them in the dark cell, they never offered to strike me with a knife or file, I never heard of a prisoner drawing a knife or file on a guard

W Johns

Guard Mansell, recalled.—The night Stedman struck prisoner Lewis, I was not afraid to go into his cell Lewis did not dare me and other guards to come in, I opened the cell door, I could see all that took place in the cell, I think we had a lantern with us Lewis had nothing in his hand he was looking at the top of his cell, and was not looking at us. He was shouting at the top of his voice and seemed to be frightened at something that had occurred previously to our going in Lewis did not take hold of Stedman Stedman threw him on the bed and Lewis continued shouting when Stedman struck him with the key I can't say how many times, but more than once Stedman took hold of the key about one third of the way up, Mr Stedman did not say to me that Lewis had offered to strike him, There was a stone which would weigh about three or four pounds in the cell it had been broken off the stone corner of the cell, Lewis did not have that stone in his hand when we went to the cell, the bedstead in the cell was made of iron, I did not notice that it was broken the leg of the bedstead, or a piece of the frame work might be broken off by a strong man, had the leg been broken we must have noticed it when Lewis was thrown on the bed, I was the corridor guard on duty that night, one of the reasons why I thought him insane was, that when he was asked a question he would answer as though quite a different question had been put to him he appeared to be gloomy and absent minded he never spoke to another prisoner to my knowledge I considered him a man who might commit suicide the beating took place not over a week previous to his removal to the London Asylum, I went round several times in the night, and the last time I went round he was still hand bound, his hands to the best of my recollection were behind him, the blow was as hard as Stedman could give in the position he was placed in I think Stedman struck him before he threw him on the bed but am not certain I have seen prisoners make resistance and heard of it very frequently, I have often found knives and files on prisoners, have never known a prisoner draw a weapon on a guard, Mr Stedman told the guard that a prisoner had taken up a hammer to strike him, I have heard of guards sending for Stedman when prisoners were answering ugly O'Shaughnessy was evidently a very bad man and would not hesitate to say anything and I believe would do bodily injury, I have never heard any expression by any guard which would indicate they desired to get rid of Stedman, Prisoner Hickie was a nasty tempered, and a dangerous man, I have seen him domineering over an old man, and when the old man would not do what Hickie wanted, he got into a passion and said he would strike him if he had been outside.

Wm J Mansell.

Guard Uniacke recalled.—Lewis acted very foolishly. When he was asked a question, he would not answer, I think this was before he was struck with the key. I heard he had tied up a bundle in the shape of a man, in his cell. I remember the guards talking about Lewis being struck. I heard Doherty and others talking about it, did not hear them say that Lewis offered to strike Stedman before Stedman struck him. I did not hear anything about the guards being afraid to go into Lewis cell. I think I heard Guard Gifford say that he and Lewis had some difficulty one morning. I remember the time Mr Gifford refers to about the bathing. I met Mr Stedman at the door and he asked what I brought up my men for? I said "It is four o'clock." He said, "No." Cannot say whether I met Gifford's gang or not. I remember prisoner Hawkins, about four weeks ago I heard some one calling in the dark cell. I went to acting Deputy Chief Guard Newton and told him Hawkins (the prisoner,) was in a fainting condition. Hawkins face was pale. I did not hear Hickie say to Stedman in the cell he would not allow any black son of a b—h like him to take him to the dungeon; he might have said so but I did not hear him. I did not hear Stedman strike him in his cell. It was outside where I saw Stedman strike him. He was very noisy in his cell; outside the cell I saw Stedman strike him as given in my evidence. When we took Hickie out of his cell, I walked by his side and Stedman said, "Hickie you are not going to carry on any of your capers here" and struck him. I do not think Hickie said anything after he left the cell until he was struck. He struck him with the back of his hand. I think his fist was clenched. I think I am certain. I was close to Hickie, and by the pressure of Hickie against me when struck I think Stedman's fist must have been clenched. Hickie was a bad man,—he had a very bad character before coming here, he had a dangerous look, and was considered dangerous, and had threatened Guard Somers. I have found knives on prisoners. I never knew or heard of prisoners offering to strike guards with knives or files or other weapons.

M Uniacke.

Adjourned.

Resumed 7 30 p.m., 13th November

Guard Gifford recalled.—When Lewis was in his cell he was always reading his Bible, and would ask me the meaning of certain verses; from the peculiar character of the questions and his manner of asking them, I thought he must be insane; when I was on night duty I would hear him shouting in Welsh; the next day after Stedman struck Lewis it was a matter of general conversation, I never heard any of the guards say that Lewis had offered to strike Stedman before Stedman struck him, I did not hear that the guards who were with Stedman were afraid to go into Lewis cell before Stedman came up. I did not have any bone work made for me by any of the prisoners. I have found knives and files on prisoners. I am of opinion they got the knives for the purpose of cutting tobacco and the files to make bone work. The knives were made out of pieces of steel or iron, and stuck into a wooden handle. I never heard of a prisoner offering to strike a guard, either with a file, knife, or any other weapon. I never had any trouble with Lewis, I never told Uniacke I had. Haskey was a quick tempered man. O'Shaughnessy was a quick-tempered man.

Wm. Gifford.

Guard Hill recalled.—I witnessed a raffle in the guards' sleeping apartment in April, 1876. The armoury was in the dining room. I was in the guards' sleeping apartment when they were raffling. Guard Gifford came to me and drew my attention to the fact of the armoury door being open; there were three or four prisoners (guard room waiters) in the dining room having their breakfasts, Mr Stedman was in the sleeping apartment taking part in the raffle. The corridor guards keep the key of the armoury. I did not tell Mr Stedman or any other guard that the armoury was open, and did not shut the door The reason I thought Lewis insane was hearing the guards say so. I do not think a sane man would shout in the way he did, I do not remember anything being said about it afterwards by the guards. I did not hear that Lewis offered to strike Mr Stedman before Stedman struck him I have found knives and files on prisoners, I never heard of a prisoner offering to strike a guard with a knife or file. I heard prisoner Farrell say that he would knock some person on the head with his hammer if he thought he had any extra time to put in after his sentence expired

FREDERICK HILL.

D CUNNINGHAM, recalled—At the time I saw Stedman strike prisoner Hickey I was about six feet from him, Uniacke was forcing Hickey along, Hickey was very violent, he used some very abusive language, he called Stedman some very offensive names before Stedman struck him

D CUNNINGHAM.

DR AIKINS recalled.—In visiting the Prison I have been brought into constant communication with Mr Stedman, and have had the very best opportunity of forming an estimate of his ability as Chief and Deputy Chief Guard, also of forming an opinion as to his disposition, and I have no hesitation in saying that, in my opinion, Mr Stedman is not a cruel man, prisoner Perkins may have complained of being sick and sent out to work, but on no occasion has a prisoner been sent to work after being examined by me and found unable to work, until I discharged him as convalescent.

W. J AIKINS.

WM. STRATTON PRINCE, sworn—Am Warden of the Central Prison, was appointed prior to the opening of the Prison, previously to my appointment I held the office of Chief of Police of Toronto for about 16 years, after being sworn in, and prior to taking charge of the Central Prison, I visited the following Prisons in the United States for the purpose of ascertaining the system of working and particularly as to prisoners diet, punishments and the general discipline Albany Penitentiary, Massachusetts State Prison at Boston, House of Correction at Chicago, the Illinois State Prison at Jolliette, House of Correction at Boston, Michigan State Prison at Jackson, and the House of Correction at Detroit. These are all industrial prisons. The Albany State Prison, the House of Correction at Detroit, the House of Correction at Chicago, and Monroe County Prison, assimilate more nearly to the Central Prison as to term of sentence, while in some cases the term of sentence is for life, they yet receive prisoners for as short a time as twenty days. The Albany Penitentiary ranks first among American Industrial Prisons as to strictness of discipline, also as a financial success With the approval of the Inspector I adopted the system of the Albany and Jolliette Prisons as my guide for discipline and management. During my visits to these prisons, I found the authorities exceedingly reticent as to punishments. I did not see any punishment record book. The system of punishment in Illinois, being the pumping of cold water on the spine, I did not approve of. I understood from the Deputy Warden that in Albany, Jolliette, and Massachusetts, the punishment in irons in dark cell ranged from 12 hours to 15 days, according to the offence, and was regulated according to the conduct of prisoners when in irons I saw a prisoner undergoing punishment in irons,—he had been in irons for a week. He was said to be a very dangerous character, and would strike any of the guards he could get at. Punishment in irons in a dark cell was inflicted for insubordination fighting disobeying rules after repeated warnings, assaults upon officers, refusing to work, and repeated breaches of prison discipline. On my recommendation Mr Beaumont and Mr Stedman were sent to visit these Institutions,—Mr Stedman to Albany, and Mr Beaumont to Jolliette, on their return they made a full report as to discipline, diet, and everything connected with those prisons. The Central Prison opened on 1st January, 1874 Mr Beaumont being the Chief Guard, and Mr Stedman the Deputy Chief Guard I may state here that the dungeons in Albany and Jolliette Prisons were situated away from the corridors. In the Central Prison we had no dark cell or place of punishment. I was compelled to select 4 cells, two in each corridor, and convert them into dark cells, by putting a wooden door in front of the grated door I adopted, as far as possible, the system carried on in Albany as to punishment, being guided by the information I obtained on my visit to the Prisons, and that furnished by Mr Beaumont and Mr Stedman, and in no case has a prisoner been confined in a dark cell and in irons, continuously for more than 72 hours, and in only one instance for that time, and he was taken down to meals, and to use the bucket; this was for insolence to the Guard and Foreman. After a prisoner has been for many hours in irons, I always ask him if he is sorry, and if he expresses penitence, I have him taken down; I do not remember the particulars of the insolence in the case referred to when the punishment was 72 hours. In awarding punishment, I am guided by the previous conduct of the prisoner, the nature of the offence, and the age, health and constitution of the man. As a general rule, I have found the system of punishment effective in accomplishing the object desired. Mr Stedman's evidence as to cutting hair of prisoners heads is correct. About eighteen months ago I issued an order that the hair of prisoners was not to be cut for one month previously to their discharge, and that order has been obeyed. I remember Stedman reporting that prisoner Lewis was shouting and disorderly, and disturbing the whole wing, and that other prisoners were following his example, and that he was tearing his bed to pieces. I ordered him to be handcuffed with his hands behind his back and to gag him; it is so long ago, I cannot state positively as to Lewis being insane at that time; if he was a lunatic, he was a very violent one; no officer made a report to me that Stedman struck Lewis with a key; the first I heard of it was during this investigation; I ordered the Chief Guard to take Finlayson out and give him a good rope's ending; he (Finlayson) had concealed himself for two days and nights, and kept the guards up; that Beaumont struck him with a stick was not known to me, and I would not have allowed treatment of that kind had I known it. I gave verbal orders to the Chief and Deputy-Chief Guards that prisoners that are reported to them by the other guards for fighting were to be placed in the dark cell, and if in putting them into the cell the prisoners were violent, they were to put them in irons and report to me. Also, if prisoners refused to work and on being removed from their gangs became violent or insubordinate on being taken to the dark cell they were to be placed in irons and reported to me. If prisoners were found talking, smoking, idling, or other minor offences they were not to be removed from their gang but reported for my disposal in the evening, after they came off labour, when they would be sent to the dark cell or deprived of their light, and of supper, according to the nature and frequency of the offence. If the prisoner reported himself sick, it was the duty of the Deputy-Chief Guard to keep him in his cell and then report to me, but not to put him in irons. Prisoner McCarthy was not able to do any hard work, and having nothing else for him to do I allowed him to paint two pictures for my room and some for the guards. I consider the pictures in my room the property of the Government, as part of the furniture. I did say to Stedman to lick Dillon and Carson when they were found. I did not suppose he would strike him over the head with his cane, as alleged by some of the guards. I never heard of a raffle taking place in the prison until this investigation. If I had heard of it, I am certain it would not have occurred again. I do not think I ordered O'Shaughnessy 72 hours in irons; my impression is I ordered him in irons until further orders, and that he was obstinate and was kept in irons for 72 hours. I do not recollect being present when he was put in irons. I visited him every day and found him stubborn and unyielding. His offence was insolence to the Guard and Foreman and refusing to work. He was a stubborn, dogged, troublesome man, and a light punishment, or a short term in irons, would not have had any effect. Prisoners in irons were in all cases to be taken down to meals, and to the bucket at 8 30 p m, and at 6 o'clock in the morning. During the night they could not be taken down without turning the crank, which bars all the doors, nor without disturbing all the prisoners in the wing, and waking up the guards in the dormitary to get the key. Guards were not allowed to strike prisoners except in drilling when a slight tap to call the attention of the prisoner to his feet or arms not being kept in the right place, was allowed. Even this has been discontinued as I found one of the guards had struck a prisoner over the back with his cane. One afternoon the Deputy Chief Guard reported that prisoner Bazy would not go into irons as I had ordered; I went to the dark cell and saw the man; He defied the guards; I told Stedman to put him in irons; Bazy defied him and when Stedman went to put the irons on Bazy said—"If the Warden says so, I will be put in irons." And he did not offer any further resistance. I

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saw Stedman draw his revolver, and I heard him say to Bazy he would take no nonsense and that he had better be quiet Stedman afterwards shewed me his revolver and it was not loaded.

W S. PRINCE.

Adjourned.

Resumed at 11 a.m , 14th November, 1876

STEPHEN LETT, sworn —I am Assistant Physician in the London Lunatic Asylum , was appointed in September 1876 I remember that on the 19th February, 1875 three lunatics were brought from the Central Prison to the London Asylum, by the Prison Bailiff their names were John Elmes, Edwin Lewis and William Guard, when a lunatic is received from a prison or gaol by warrant, he is handed over to one of the chief attendants with instructions to examine the patients at once and see whether he is clean, has bruises or eruptions, &c , and if the lunatic is not clean, or has bruises on him or eruptions, the attendant reports at once to one of the doctors , the attendant would make a report in any case , in this particular case, I noticed there was something wrong about the motion of Elmes arm, and sent for Dr Alexander to examine him he reported the arm as being extensively bruised, and that Elmes could not raise it without the assistance of the other hand William Guard was, I think, reported all correct , Edwin Lewis was reported as having a bruise on his head, I may have said to the prison bailiff that one of the lunatics had been badly treated, if I did say so I must have meant Elmes the bruise on Lewis head could not have been very serious or I would have heard of it , when lunatics shout or make a great noise we remove them to the refractory ward and sometimes give them a sedative or a stimulant , we never gag them or tie their hands behind their back , lunatics are frequently tied by the hands to prevent them destroying property , I have never seen lunatics with their hands tied behind their backs when Lewis first came in he was put in the refractory ward, owing to representations that he was an epileptic, and had hallucinations which might lead to homicidal acts we found Lewis quiet enough , he may possibly have shouted but I cannot remember his doing so he has not had a fit of epilepsy since he came to the Asylum , cases of tying the hands of lunatics are very rare indeed in the London Asylum, and when I say tying the hands, I mean that the leather muffs are put on

STEPHEN LETT,
M C P

Dr Aikins' certificate as to the insanity of prisoner Lewis, is dated 5th January, 1875

The Doctor in his certificate states ' he is unwilling to communicate in conversation, looks insane, imagines persons are laying snares to get him into difficulties Is naturally depressed, sees visions, has communications from heaven, &c &c He has not attempted or threatened to harm himself or others. It is alleged by the Central Prison Hospital Guard that he had an epileptic fit in church on the 3rd instant.

John Boyd's (County Judge) certificate is dated 9th January, 1875

Dr Richardson's certificate is dated 6th January, 1875

S. C WOOD.

Adjourned.

Resumed at 2 15 p.m , 14th November

Captain PRINCE, recalled.—I recollect ordering Collins to be put in irons, I also remember visiting his cell the next day and on his expressing contrition for his offence, I had him released from irons. I know that Stedman has been applied to, over and over again, to come and put prisoners in irons, and I have gone to the dark cell when Stedman has been putting prisoners in irons and have seen guards standing outside the cell and they appeared as though they were afraid to put the prisoners in irons themselves I have never shown any partiality to guards. I have found prison guards to be like any other men, some complaining of petty matters, others satisfied when fairly treated. When one has 18 or 20 guards to deal with, and all are required to submit to the rules of the Prison, it is to be expected that instances will occur when a jealous or suspicious guard will think he is treated more severely than others, and that partiality is shown, but I am not aware of giving any cause. I put in statement marked "W," and wish it to form part of my evidence.

W. S. PRINCE.

(Statement marked "W")

WARDEN'S OFFICE, CENTRAL PRISON OF ONTARIO
TORONTO.

Mr Stedman has been the support and mainstay of the discipline of the prison. He has devoted himself with energy and earnestness to enforcing my orders and the rules and regulations; and without his watchfulness and truthfulness in reporting breaches of duty on the part of the officers of the prison I could not have attained the discipline, order and method which exists in the working of the prison at the present time. His thorough zealousness in the discharge of duty, his truthfulness (for I have never found him in a falsehood) his strict temperance, and his unflinching resolve to observe and make others observe the discipline of the prison have been of the greatest service to the Government, and to myself as Warden. Indeed he is the only officer who has appeared to take the same pride in the prison, as I take myself, and to assist me by unusual capacities, and strict sense of duty, to make the prison what it is. The improvement of the front grounds is due to him, the laying out of which must have saved the Government much expense, and this has been done by him in addition to his other onerous duties. The church services, Catholic and Protestant, were improved by him in the selection and organizing of an excellent choir. He has succeeded in re-capturing single handed, four prisoners, who had escaped from the prison, and I can confidently state, that had it not been for his watchfulness in reporting circumstance to me, other prisoners must have escaped. That he has been acting Chief Guard more than eight months, during which period the prison duties have been conducted with efficiency in every respect, and apparently with complete harmony, that in my daily contact with the prisoners, I have no recollection of one of them having preferred any complaint against Mr Stedman, and in addition to my visiting the gangs both morning and afternoon, I have been in the habit of visiting the cells on Sunday afternoon, when each prisoner had an opportunity of making complaints had he desired to do so, and I wish further to state that not a single guard has ever complained to me of any ill treatment of prisoners by Mr Stedman.

W. S. PRINCE.

ALFRED ELLIOT was Hospital Guard in January, 1875, and now in England states, I was standing by at the time Guard Johns refers to, when Stedman was putting Spackman in irons, and did not see Stedman strike Spackman, neither did I hear the words Guard Johns says Stedman used.

W. S. PRINCE.

DR WM. G. WAGNER, sworn.—I have acted at different times since the opening of the prison for Dr Aikins, as medical attendant. I have attended prisoners in the hospital in their cells and in the dark cell. I never heard any prisoner complain of his treatment. Have never seen any act of cruelty on the part of the guards towards the prisoners. When Mr Stedman was Deputy Chief Guard, I was brought in contact a good deal with him during my visits to the prison. I consider him a strict disciplinarian, but I do not consider him a cruel man. I have never treated any prisoners for wounds received as punishment, except in one case, I forget the name of the prisoner, he had been fighting with another prisoner, and one of the guards struck him across the back; I don't remember looking at the wound. I prescribed oil.

W. J. WAGNER.

MR STEDMAN recalled.—I have served as an executive officer in the Central Prison from its opening with faithfulness, and discharged my duties to the best of my ability

For the last eight months I have been acting as Chief Guard. I deny the charges of cruelty preferred against me, and I assert that they are false and malicious, and that they would never have been instituted had I been indifferent to the welfare of the prison, and had been guilty of neglect of duty in concealing from the Warden dereliections of duty on the part of the guards, instead of reporting them to him. I have ever upheld the discipline of the prison, enforcing the rules and regulations and the Warden's orders, with strictness and impartiality. I would respectfully ask the Commissioner to compare my record of conduct with that of other officials. I beg to state that on the 3rd of July, 1874, Guard O'Brien was seen, when out on duty, drunk at a tavern at 4 o'clock in the afternoon, and stopping a traveller on the public highway, pointed a loaded revolver at him, threatening to shoot him if he did not stop, and repeatedly fired off his revolver—loaded with ball cartridge—along the public streets. Capt. Prince dismissed him from the Central Prison, but he was shortly after reinstalled by the Honourable Mr Fraser, Commissioner of Public Works. He shortly afterwards got drunk and caused disorder and disturbance throughout the north corridor at 12 midnight. On the 14th November, 1874, one of the officers named Michael English, was absent, without leave, from his duties from 9 a.m. till 3 p.m. when he returned to the prison under the influence of liquor, commenced kicking the prison doors, calling out, and creating a disturbance and excitement among the prisoners. He had already been reported three times before. No action was taken in the matter although his conduct and character were represented by the Warden as unfit for a prison official.

RICHARD H. STEDMAN.

J. B. CAMPBELL, recalled by Mr STEDMAN.—When I came to the prison I was a stranger. I knew none of the Guards. I was told by Gifford on one occasion to look out for Mr Stedman,—that he was a dangerous man, and would undermine me if he could, if I gave him the slightest chance. From conversations I had with other guards I was led to believe they entertained an ill-feeling towards Mr Stedman. I thoroughly believe the ill-feeling on the part of some of the guards, towards Mr Stedman, is the cause of their giving evidence against him. I do not know of any conspiracy against Mr Stedman, but I believe there is, from what I have seen and heard. Eames, Gifford and Hill have spoken bitterly of Stedman. I have never heard Uniacke, Newton, Mansill, Johns, Dean, Kirkpatrick or Butler speak against Stedman.

JOHN B. CAMPBELL.

W. J. MANSELL, recalled.—I was on duty as night guard the time Lewis was beaten by Mr Stedman. Properly speaking, I was the night patrol guard. There was no corridor guard on duty at night. I reported the shouting of Lewis to Mr Stedman. I did not say to Mr Stedman that Lewis was breaking up all the furniture in his cell. I did not know until this day that Lewis broke up his furniture. I never saw any broken furniture in his cell. I saw the stone referred to in my evidence, but nothing else in his cell that was broken.

W. J. MANSELL.

Guard BUTLER, recalled by Mr STEDMAN.—I have been a guard since 8th March, 1876. About two months ago Guard Eames spoke to me about Dillon's case, and, from what he said, I think he was trying to influence my mind against Stedman. Have heard Guards Eames, Gifford, Uniacke and Hill speaking unfavourably of Stedman. I cannot recollect the exact language. From what I have heard I have believed these guards were intriguing with Beaumont against Stedman. I do not speak of my own knowledge, but of what I have heard. Their language to me confirmed it. I never saw Beaumont speaking to these guards. I did see him one evening talking to Cunningham. The subject of their conversation was a letter in the *Irish Canadian* Newspaper. Beaumont said he wrote it. Cunningham said it was not bad. I cannot give the particulars as to what the guards said, which led me to believe they were intriguing. I did not hear any of the guards say they hoped Stedman would be dismissed. Some said they thought he would. I overheard Hill say to Gifford and Uniacke, "We would be very comfortable here, if Stedman was away." This was during the investigation. The other day, after giving my evidence, Guard Eaasked me, had I been giving my evidence, and asked me what I had said in reference to Dillon I answered "Nothing" as I did not consider he had been ill-treated. He said he would have me brought before the Commissioner again, or expose me; that I ought to give evidence as to Dillon The next evening I saw an article in the *Telegram* newspaper, signed "Examiner," and believe Guard Gifford wrote it, or furnished the information to others to write it

WALTER BUTLER.

Adjourned.

Resumed at 11, a.m., 16th November

HENRY SOFTLY, sworn.—Am Mission Agent of the Prisoners' Aid Association, and in that capacity I have visited the Central Prison since its opening. I visit the prison every Sunday afternoon; I generally remain four hours. I also attend the Sabbath School every other Sunday along with a staff of forty teachers. We hold religious services every other Sunday when clergymen of the various denominations officiate. The Catholic clergy have service every Sunday early in the morning. I visit the prisoners in their cells, and converse with them on religious subjects, and give them tracts. Some few of them give me their confidence, and tell me their troubles I remember prisoner Spackman showing me his back. There were red-coloured marks across his back but I did not notice that the skin was broken. He told me he had tried to escape He was apparently a very stubborn, bad man I could not make any impression on him; can't give dates. I recollect several prisoners, on leaving the prison, telling they had been kicked and beaten by Mr Stedman, the Deputy Chief Guard I have heard complaints of this kind within the past eight months, but not within the last two months Dillon complained to me on leaving, that he had been beaten severely by Stedman, with a stick but I did not attach much importance to it, as I considered him a bad man. I never heard him swear or pray —he seemed to be hardened. Finlayson complained of being ill-used by the Chief Guard Camb did not complain of being ill-used I don't remember Lewis, O'Shaughnessey, Collins, Hickey Barry Carson, Jones, Gibbons, Edwards, Hunt, Gordon Fairchild Farrell, Harrigan or Perkins. They did not complain to me. I remember Gunstock, but he never complained to me. I have heard several prisoners say that very bad language is used by the prisoners, and that they are not punished for it. I never heard any bad language used in the prison myself. I have not communicated to the Inspector, or any of the officers of the prison the complaints of the prisoners. Had I heard of any glaringly bad case, I should have considered it my duty to report it to the Inspector Neither the Warden nor the Mayor of Toronto visited Sunday School. I don't recollect inviting them

HENRY SOFTLY

Adjourned

CENTRAL PRISON, Nov 17th, 1876.

J. W Langmuir, Esq,
Inspector of Prisons, Toronto.

SIR,—Ever since I entered the service of the Central Prison, I have had but one object in view, viz. the discharge of the duties assigned to me, to the best of my ability without fear or favour This I can honestly say I have done; but in so doing I know I have raised up for myself enemies in every quarter, so many that I am afraid my usefulness as an officer of the prison is gone; that I may have committed errors of judgment, and perhaps in a few instances, in my zeal and honest desire to make the Central Prison, what I now consider it is, the Model Prison of the continent I may have erred sometimes in enforcing too rigid discipline, but only one having knowledge of the prisoners he has to contend with, and the necessity for promptly putting down every act of insubordination, no matter how trifling, can judge what is best to be done; my conscience tells me that I have done nothing wrong in this way, but everything for the best interest of the prison. I do not wish to say one word against those who have conspired against me, as I feel that time will fully clear my character. Feeling, however, as I do, that by remaining in my position my enemies in trying to ruin me, will also try to injure the prison, and that by remaining I would only embarrass the Government, I herewith tender my resignation of my position as acting Chief Guard, and would request to be immediately relieved.

I have the honour to be, Sir,
Your obedient servant,
RICH'D H. STEDMAN.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO,
TORONTO, 21st November, 1876.

SIR,—I regret having to report, that the insubordination of a large number of the prisoners confined in the Central Prison became so general yesterday, as to amount to a preconcerted mutiny, which, unless it had been promptly dealt with, might have resulted most disastrously to the discipline and government of the prison. For some time back it would appear that serious evidences of combined insubordination have been apparent, but which became very marked at the prisoners' dinner call yesterday, in the prevalence of a good deal of noise and turbulence. The alleged cause on that occasion was the insufficiency of the rations, which I may remark is the most liberal of any prison in Canada, and fully as liberal as any prison in America, and if compared with the rations allowed to British soldiers will be found to be better in all respects. The average weight of solid food, besides tea and coffee, allowed to each prisoner per day is equal to 65 ounces.

When the prisoners' dinner was finished they were marched out in gangs to their work, and 86 refused to proceed with their respective employments. The matter was reported to me, and I immediately proceeded to the prison, arriving at 2.30 p.m. I at once ordered all the prisoners to be formed into line in three gangs, the guards being present with loaded rifles and pistols.

I informed the prisoners that the rules of the prison would be rigidly enforced, both in respect to labour and discipline, that insubordination in any and every shape would be instantly put down with a firm hand. I pointed out the liberal nature of the dietary, showing that no reasonable ground for complaint existed. I asked all the prisoners who were instantly prepared to go to work to remain in line, and those that were not, to step to the front. Four stepped to the front, and although further explanation was made to these four men, they persisted in their insubordination, when I ordered that fifteen lashes should be given to each on their bare backs, in presence of all the prisoners. On enquiry I found that one of the four prisoners was mentally weak, and therefore not entirely responsible for his acts, and who was therefore not punished. The other three were hardened or careless, the prisoners were again formed in line around the prison square, when the punishment ordered was proceeded with. I trust and believe that the object of the punishment has been fully accomplished, and that insubordination of this combined nature will be stopped.

I have also ordered that the use of the associated dining room shall be abolished, and that the dinners as in the case with the breakfasts and suppers, will be served to each prisoner in his cell. This I trust, will reduce the means of communication with each other, and prevent combined action, which undoubtedly had been arranged yesterday.

I have the honour to be,
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

The Honourable,
The Provincial Secretary.

SCHEDULE OF LETTERS AND REPORTS RELATING TO THE INTERNAL MANAGEMENT OF THE CENTRAL PRISON, TORONTO

1875

March 30.—Letter from the Provincial Treasurer to the Inspector of Asylums, Prisons, &c., enclosing a Memo. on the latter's Report on an inquiry held in the Central Prison

Feby. 17.—Report of the Inspector of Asylums, Prisons, &c., of his investigation, including minutes of evidence taken 10th February, 1875.

" 19.—Report of the Inspector on the escape of two prisoners, in the minutes of investigation.

June 11.—Report of the Inspector of Asylums, Prisons &c., on the escape of a prisoner from the Central Prison on the 14th May, 1875

" 17.—Letter from Assistant Secretary Eckart to the Inspector of Asylums, Prisons, &c.

" 30.—Report of the Inspector of Asylums, Prisons, &c., on the escape of two prisoners on the 31st May, 1875

July 7.—Letter from Assistant-Secretary Eckart to the Inspector of Asylums, Prisons, &c.

1876.

Nov. 16.—Report of the Provincial Secretary to the Executive Council, submitting the evidence taken at the investigation into the internal management of the Central Prison

Aug. 17.—Letter from the Inspector of Asylums, Prisons, &c. to the Provincial Secretary Index to the Investigation

Oct. 31.—Minutes of evidence relating to the general management of the Central Prison

Nov. 17.—Letter of resignation of Acting Chief Guard Richard H. Stedman.

" 21.—Report of the Inspector of Prisons Asylums &c., on the suppression of a mutiny in the Central Prison

Dec. 30.—Memo by the Provincial Secretary on his investigation of charges made by the Warden of the Central Prison against Chief Guard Beaumont.

1875

Sept. 13.—Letter from the Warden to the Inspector of Asylums, Prisons, &c., enclosing a letter dated 6th September, from Guard Wall, complaining of the conduct of Chief Guard Beaumont.

Sept. 20.—Minutes of investigation of certain charges by Patrick Wall against Chief Guard Beaumont.

" 22.—Letter from Chief Guard Beaumont to the Inspector of Asylums, Prisons &c.

Feby. 20.—Letter from the Warden to the Inspector of Asylums, Prisons, &c.

March 1.—Letter from the Inspector to the Provincial Secretary

" 3.—Letter from the Inspector to the Warden of the Central Prison

" 9.—Letter from Chief Guard Beaumont to the Provincial Secretary

" 17.—Letter from the Inspector to Chief Guard Beaumont.

" 22.—Letter from Chief Guard Beaumont to the Provincial Secretary, enclosing copy of a letter from him to the Inspector

" 25.—Letter from the Inspector to ex Chief Guard Beaumont.

" 26.—Letter from the Inspector to the Warden of the Central Prison

" 29.—Letter from the Provincial Secretary to ex-Chief Guard Beaumont.

" 30.—Letter from the Warden to the Inspector of Prisons, &c.

April 19.—Rules and Regulations Central Prison.

" 29.—Letter from the Inspector to the Provincial Secretary, enclosing letter dated 21st April, from the Warden to him

May 3.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary

" 10.—Letter from Assistant-Secretary Eckart to ex Chief Guard Beaumont.

" 13.—Letter from ex-Chief Guard Beaumont to the Provincial Secretary.

" 16.—Letter from Assistant-Secretary Eckart to ex Chief Guard Beaumont.

June 7.—Letter from ex Chief Guard Beaumont to the Provincial Secretary

1875
July 3.—Letter from ex Chief Guard Beaumont to the Provincial Secretary
Oct. 5.—Letter from ex Chief Guard Beaumont to the Provincial Secretary
Index to the investigation into the charges against James Beaumont, late Chief Guard.
Minutes of evidence taken during said investigation.
1876

Letters referred to in foregoing evidence.

Nov 8.—Letter from A. McMenery, Hamilton, to the Warden of the Central Prison.
" 7.—Declaration of John Henery late Chief of Police, Hamilton
" 8.—Declaration of J. R. Rousseau of Hamilton.
April 19.—Letter from the Inspector to the Warden of the Central Prison.

TREASURY DEPARTMENT, TORONTO, 30th March 1875

SIR,—I beg to enclose Memo. containing my observations upon your report of the 17th February last relating to the inquiry held by you under my instructions of 4th idem relating to certain alleged antagonisms between certain officials in the Central Prison. A copy of my Memo will be communicated by you to the Warden and by him read to the guards and other officials of the prison

I am,
Your obedient servant
ADAM CROOKS
Treasurer

J. W. Langmuir, Esquire,
Inspector of Asylums, &c. Toronto.

MEMORANDUM on the report of Mr Inspector Langmuir, dated 17th February last, relating to the Central Prison

The undersigned has considered the report and the evidence taken under the inquiry directed by the instructions of the undersigned dated the 4th February last, and

Firstly—He approves of the discipline of the prison being strictly maintained and that the steward and cook must comply with such regulations as may be in force with respect to them, as well as the other officers and guards in the prison.

Secondly—That it is desirable that the suggestion of the Inspector for separate duties of store-keeper and steward be adopted in future and that in by laws such distinction be adopted

Thirdly—Deputy Chief Guard Stedman is liable to censure for the expressions which were undoubtedly used by him in regard to Roman Catholic officials, and any indication in the future of such feelings being harboured by him will involve his dismissal

Fourthly—It is to be regretted that the evidence shews that liquors have been introduced on several occasions into the prison and that the officers whose duty it was to have reported the circumstances to the Warden omitted to do so. It is equally to be regretted that Chief Guard Beaumont and other guards have been in the habit of frequenting public houses or taverns in the neighbourhood of the prison. The regulation with respect to the use of intoxicating liquors must be strictly enforced and the Warden, Officers and Guards will be each held responsible for the observance of it inasmuch as the discipline of the prison depends entirely upon the strict observance of sobriety on the part of all the officials

Fifthly—The evidence shows beyond reasonable doubt that Guard Bolford violated on two occasions, at least this essential end the Inspector would have been justified in his immediate dismissal, after the inquiry. I must direct that this should be done forthwith and with the usual fines.

Lastly—Any wilful disobedience of the rules or neglect of duty will be visited in the like manner when any such case is made to appear

ADAM CROOKS
Treasurer

TREASURY DEPARTMENT
Toronto 30th March, 1875

Office of the Inspector of Asylums, Prisons, &c. Ontario,
Toronto, February 17th, 1875.

Sir,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that in obedience with instructions contained in your letter of the 4th instant I held an investigation into the causes of antagonism that exists between certain officials of the Central Prison of Ontario, and the effect of such antagonism upon the discipline and management of the prison, and I herewith transmit the evidence taken under oath in connection therewith.

It appears that the want of harmony is confined to five officials of the prison, viz. Daniel McCarthy, Steward and Store-keeper, and Michael English, Cook and Baker, on the one hand, and the Warden, Chief Guard James Beaumont, and the Deputy Chief, Richard Stedman on the other.

The causes of disagreement, as stated by the steward and cook are:—

1st. The too rigid enforcement of prison rules and discipline by the officers named, amounting to persecution against the steward and cook, and a disposition to force them out of the prison service; also to the constant reporting by Beaumont and Stedman of alleged offences, and breach of discipline which the steward and cook think are not worthy of notice, or all too frivolous to require reporting.

2nd. That the Steward should be required to conform to prison discipline, as a guard, and that he is deprived of privileges that he should have.

3rd. To bad feeling and enmity against the Catholic officers and guards, evinced by the conduct and statements of Deputy Chief Stedman.

On the other hand it is alleged in the evidence of the Warden and the Chief and Deputy Chief Guards, that the steward and cook constantly ignore important prison rules, and disobey the Warden's orders, thereby injuring the discipline of the prison, both in relation to the officials the prisoners and the prison management. They further allege that although the cook and steward have time and again been reported for such offences against discipline and the rules of the prison they persistently continue in such courses.

Such being the causes of the antagonism existing between the officials named, I propose to deal with them in the order in which they are placed.

1st. The evidence proves that the discipline of the prison, in relation to the duties and conduct of officials is generally *strict*, but for a new prison undergoing organization, I do not think that it has been or is unnecessarily or even unduly *rigid*; the opposite course I am convinced, while it might have obviated some unpleasantness, would have been most disastrous to the best interests of the prison. This rigid but wholesome discipline, as far as I can discover, has been applied to all the prison officials alike with this result viz:—that the guards, some of whom chafed at first under it, have accepted the position, and now, without exception, perform the duties required of them, not only willingly and cheerfully, but with an intelligent appreciation of the necessity of strict discipline. The steward and cook on the other hand, it would appear have kept up a continual protest, sometimes active and sometimes passive, against certain rules and orders, and not unfrequently they have ignored the one and disobeyed the other. Some of the offences and breaches with which they have been charged are trifling, and others flagrant, but their course generally has been one of antagonism to discipline. For instance an order is made, prohibiting smoking before or with prisoners, while on duty; the order is disobeyed, openly and defiantly; it is ordered that prisoners while at work must not be left alone; but this rule is persistently disobeyed by the cook, and frequently by the steward; that all officers and guards must attend evening count, and remain until all the prisoners are accounted for is completely ignored, both by the steward and cook; the order that they must be present along with other officers and guards when the orders for the day are read, they persistently refuse to obey; that they must not use familiarity with prisoners is so much abused, that when prisoners are removed from the kitchen to other gangs, they are found unmanageable; that all officials are to be in the prison at certain hours is frequently violated.

These, and other breaches on the part of the steward and cook have been so frequently reported, that the officers charged with that duty now leave the offences unreported.

I have examined the orders referred to and the circumstances that seemed to call for their promulgation, and cannot see in them or the means taken to carry them out, any evidence of a desire on the part of the Warden or his subordinates to domineer over the steward and cook, or to annoy them or even to put them to unnecessary inconvenience. The fact appears to be that both the steward and the cook are imbued with the idea that strict discipline means tyranny, and that the officers charged with the duty of enforcing it are their enemies.

The guards of the prison being composed of soldiers, accept the position, the steward and cook being civilians protest against it.

2nd With regard to the complaint of the steward that he has been deprived of privileges, and also that he is required to conform to certain rules which he believes should only apply to prison guards, the evidence shows that Mr McCarthy only comes under the rules referred to in his capacity of steward, having prisoners in his charge. In the performance of his duties as storekeeper, he has been to all intents his own master. It is very clear that if prisoners are placed under the charge of the steward or cook or any officer of the prison, they must be held responsible for them as prison guards they must account for such prisoners every evening, and see that they observe the rules and regulations of the prison. In these respects but in no other, have the steward and cook been looked upon *as prison guards*.

It is quite possible that if By laws had been framed at the opening of the prison regulating and defining the duties of every officer and employee many of these troubles might have been obviated, but until observation and experience revealed the requirements of the prison in these respects, it was not considered desirable to frame By laws that might have to be amended when after such observation they were found defective and unworkable. Sufficient experience, however, has now been obtained of the working of the prison to enable such By laws to be enacted as will clearly define the duties of all officials and leave no doubt as to the privileges they are possessed of or the nature of the duties required of them

3rd The evidence in support of the statement that Deputy Chief Guard Stedman harbours bad feeling and enmity against the Roman Catholic officers and guards is confined to two witnesses viz Chief Guard Beaumont and Guard Gifford The statement made by Stedman to Beaumont, and which the former admits to be correct is I think so explained by Stedman upon oath, as to show that at least no animus or ill feeling existed in his mind on that occasion against the Roman Catholic employees of the Prison.

Guard Gifford's statement that Stedman had invited him to join with him and one or two others in order to get the Catholic employees out of the Prison, is pronounced false by Stedman but as it is in evidence that Gifford told others of the conversation a short time after it took place, I am inclined to think that such an approach was made by Stedman to Gifford. For the particulars I refer you to the evidence of both the parties no evidence was given to prove that this feeling extended beyond the limits referred to, and it would appear that the Warden warned the chief officers to be very guarded in this respect.

These, therefore, are the sources of the antagonism that exists between the officers named and the results of such antagonism upon the management and discipline of the prison. In addition to the want of harmony between certain officers of the prison, it also came out in evidence and in my opinion was clearly proven, that liquor had been introduced into the guard room and guards dormitory and there drank by certain employees of the prison. This seems to have been brought to the notice of the Warden only on one occasion although it is evident that it was of frequent occurrence; but on the occasion referred to a very stringent order was read to the employees of the prison, warning them that such an offence would meet with instant dismissal The following rule was also promulgated, viz —

"Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating liquors in or about the prison Intoxication will insure instant dismissal."

Notwithstanding the order and rule referred to, it was proven clearly that liquor

has since been brought into the prison; although this offence did not come to the knowledge of the Warden or his two Chief Guards.

It also came out in evidence that Chief Guard Beaumont, on more than one occasion, was present with some of the guards and employees when drinking was going on in the evening at a tavern close to the Prison.

In order to remedy the results of the antagonism referred to, and the other defects in the prison discipline, I would most respectfully recommend:—

1st. That by-laws be prepared and enacted for the good government of the prison, defining the duties of every officer and employee, and the relations they must sustain to each other.

2nd. That the cook and baker shall be looked upon as a prison guard, and shall be subject to all the rules enacted for the guidance and instruction of guards.

3rd. That only the Warden, the Chief Guard, the Deputy Chief, and the ordinary guards shall board and lodge in the prison.

4th. That the duties of steward and storekeeper shall not be performed by one and the same person. Mr McCarthy shall attend to the duty of storekeeper, and in addition shall assist the bursar in keeping the books, &c.; the duties now performed by the steward, shall devolve upon the Chief or Deputy Chief Guard, as the Warden shall direct.

5th. That a separate office from the Warden be assigned to the bursar and the storekeeper.

In the way above indicated, I think that the chief sources of antagonism will be remedied, the discipline of the prison rendered more effective, and its means of good government generally improved.

I have the honour to be,
Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

Evidence taken at an inquiry, held by the undersigned, Inspector of Prisons, &c., for Ontario, as to the conduct of certain officials and guards of the Central Prison of Ontario, on the 10th Feb., 1875.

DANIEL MCCARTHY, Steward and Storekeeper of the Central Prison, being sworn, deposed as follows:—I have been informed that whiskey was brought into the guard room by Guard Bollard; my informant was English, the cook of the prison. Of my own knowledge, I was not aware that whiskey or intoxicating liquors was introduced or brought into the prison by any officer or guard, and I have never seen it there. I was informed by James O'Brien on Monday the 1st February in the morning, that he (O'Brien) had been in the habit of drinking liquor on the prison premises, with Chief Guard Beaumont; he said he drank liquor with Beaumont both in the guard room and the tower. The bailiff, Mr English, also told me that he has seen liquor on the prison premises, and being drunk by officials of the prison. I have drank liquor with Beaumont, at Higgins tavern, about seven o'clock in the evening, about two months ago. On that occasion Mr Stedman was away from duty, and I believe Beaumont was on duty. I have known Guards Bollard and Doherty to drink in Higgins' tavern with Beaumont; that was on the same occasion as I drank with him. The bailiff was also present on that occasion. I do not know but what all the guards had passes to go out; as far as I know all guards on such occasions came at 9.30 p.m.

English, the bailiff, told me that on the night the Warden came home from his leave of absence, on the 6th November, when he was delivering prisoners from the west, that he (English) said to a guard who was present that the Captain must be home, for there was his dog on the door step; but on looking, English said he found that it was Guard Bollard lying drunk on the steps. English stated that Bollard was then admitted, it being then about eleven, by the night corridor guard. I have known oyster suppers to take place in the guard room. On one occasion Mr Stedman, and Guards Bollard, Gifford, Doherty, and I think Gracey, were at the oyster supper; it was about a month ago; I was not present; I went to bed. I know of nothing more in respect to the introduction of liquor into the prison premises.

On the first Sunday that Roman Catholic service was performed in the chapel, Father Rooney was officiating. It was customary for the Catholics to kneel down at prayers. Father Rooney, observing that the prisoners were standing up, said, "how is this?" Deputy Stedman said "that is the order, sir." The clergyman demanded to see the Warden immediately. He was told by Mr. Stedman that the prisoners might kneel down on that occasion. On the Sunday following, that is the one succeeding it, Deputy Stedman kept his hat on while close to the altar sitting; he kept his hat on until after the Gospels were read; he then took it off. I think he observed that we were speaking about it. . . on the appointment of Somers to a guardship during the Warden's absence. I attended service in the chapel on Sunday during church. I observed Guard Somers kneeling down, and when church was over Mr. Beaumont told me that Mr. Stedman came running to him to say that Somers was a Roman Catholic, and that if the Captain had been here he would not have sworn him in. The bailiff, Mr. English, told me that Deputy Stedman called Guard Gifford out of the guard room one Sunday shortly after the prison was opened, to ask him to help him to clear the Papists out of the prison; Guard Gifford said he could not do so as he was married to a Catholic woman. I have not heard any such expressions or feelings against Catholics mentioned by anyone in the service of the prison but Mr. Stedman. Mr. Beaumont has told me that such feelings existed in Stedman's mind. I do not think Beaumont has such feelings; I am sure that the Warden has no such feelings, but I thought it strange that Stedman should be allowed to use such language. I think the Warden must have known something about it, because he heard the Warden use the expression that Beaumont and Stedman were to hound the Baker, English and myself down like dogs. Respecting the key trouble, I had a key which opened the guard-room door, the kitchen door, and I think all intermediate frame doors. Being in a hurry one evening I opened the guard room door with this key; the next day I found that the Warden had a new lock put on the door. I asked him why the lock was put on, as there seemed to be no use for it as far as preventing prisoners from escaping; the Warden said that there was no fear of those prisoners escaping; but I think that the key and lock was changed only to bother me.

I was aware that there was a regulation that no officer or guard was to be admitted through the door except they rapped, but I did it for dispatch.

The two prisoners who are in charge of myself and the cook require to be constantly under our notice, although their offences are slight, whereas the prisoners in the guard room are in for longer periods and do not require to be watched, showing that we (that is English and myself) were to be crippled.

The Warden also objected to my taking flour from the north store-room . . or through the front grounds into the large north entrance gate, and it was ordered to be taken through the corridor to the bake-house, and after that the order was changed to take it through the kitchen, involving going down one pair of stairs and up another; it was found that that could not be done; it is now taken through the receiving lobby and receiving room, then through the dining hall into the prison yard. I believe this is all to give the baker and me trouble.

During last summer, I think in August, I allowed two friends of mine who had passes, signed by some person I don't know who, to enter the prison by the store room door. I did this in ignorance of any regulation against such an act, and I thought as steward that sufficient confidence would be had in me to know that I would not admit any improper person.

But in taking my friends into one of the shops, Lyons, the gate keeper, at the instigation of Stedman, I think, came up and ordered my friends out. I at once took them out.

For this I was brought before the Warden and severely reprimanded, and was told that I must not admit any body by that door; an order was also placed in the order book to some such effect.

On another occasion I was reported for admitting strangers through the store-room door, in the face of that order; the fact was, two nuns came to me with a desire to look at the prison kitchen range, and I admitted them, thinking that an exception would be made in such an instance; but I was immediately reported, and Beaumont said, "You are reported again," as if all they wanted to do was to report frequently against me.

I complain that I have no privileges whatever and that I am hardly dealt with, and although the order had reference, I suppose to all officers, still Mr. Short was allowed by the Warden to take friends into the prison, the Warden I am informed, remarking that the order only referred to the Steward and Cook.

D McCARTHY.
Steward T. S. K.

JOHN ENGLISH Bailiff of the Central Prison being sworn, deposed as follows. I remember the night on which the Warden returned from his leave of absence in November I came down as far as Hamilton with him from Windsor and stopped off at Hamilton to get more prisoners I arrived at the prison at 11 30, p m. Guard Doherty met me at the train and came up to the prison with me When we came to the steps of the south entrance I saw what I thought to be the Warden's dog but what turned out to be Guard Bollard lying on the steps apparently quite helpless from drink. We lifted him up and rang the bell when the corridor guard answered the bell He admitted Bollard; he must have seen that he was drunk as he staggered very much I kept behind him (Bollard) on going up stairs to prevent him from falling I did not see Deputy Chief Stedman that night at all, and I don't think that Stedman saw Bollard in the condition in which he was. I never heard that the night corridor guard reported the case of Bollard's drunkenness. He should not have been admitted coming after 11, p m. I came home to the Prison one night about a month ago and on coming to the door of my room I found the door locked. On getting in I saw guards O'Brien, Bollard and Somers in the room. They were drinking out of a bottle what I took to be whiskey. I could smell it I think there were other guards present but I cannot tell. Stedman at the time was in his room He knew that the persons named were in my room but I am pretty certain that he did not know that they had liquor I never was present when liquor was drunk at any time that Chief Beaumont or Deputy Chief Stedman had any knowledge that such was the case I have known Mr Beaumont to drink with guards outside the prison in Higgins's tavern between the hours of 8 30 p m up till 9 30 p.m I have seen him drink with Bollard O'Brien, Doherty, Lyons and Uniacke One night that the Deputy Chief was absent and Mr Beaumont on duty, I was asked by the Warden to get Mr Beaumont. I told the guard to go to Higgins's tavern and he would find him. As both the guard and Beaumont came in together, I suppose he found him at Higgins' tavern. I have known guards to be drunk on the premises quite frequently I have heard boisterous talking and other evidence of drunkenness Mr Stedman must have heard also as he is quite as near as I was, liquor I think, has no effect upon Mr Beaumont; I remarked to him on the night on which I sent the guard for him at the request of the Warden, that he would soon be caught, he (Beaumont) said that liquor had no more effect upon him than a blister on a wooden leg I never saw any sign of liquor on Mr Stedman; on one occasion I saw Bollard take a bottle to Lyons' bed and give him what I thought was liquor as Lyons became noisy as well as others this only happened about a fortnight ago. Mr Beaumont told me that Stedman had spoken of the appointment of Somers who is a Roman Catholic as something that should have been prevented as far as I know no feelings against Catholics have been shown by any one but Stedman and that is only hearsay

JOHN ENGLISH
Bailiff, Central Prison.

SAMUEL GRACEY guard being sworn deposed as follows.—I have seen liquor in the guard room of the prison, I cannot say who brought it in The last time I saw liquor there was two weeks ago. Neither Chief Guard Beaumont or Deputy Stedman were present when liquor was being drunk. I never knew that liquor was taken to the tower by guards on duty Guard O'Brien was the only guard that I ever saw positively drunk I have seen others who had liquor in them I don't drink liquor, don't know the taste of it.

SAMUEL GRACEY,
Guard.

WILLIAM DOHERTY, Guard, being sworn deposed as follows —I came to the Prison on the night of 6th November with the Bailiff. I had been detailed to go down to the station

We arrived at the prison about 11 p. m I saw Bollard standing on the south entrance steps, he seemed to be as usual He did not appear to be drunk He was standing He walked up to the guard room all alone I went with the Bailiff and the prisoners and locked them up. I think it was O Brien who was acting that night as corridor guard When we locked up the prisoners the Bailiff and I went up to the guard room and I went to bed. When I went into the guard room Bollard was in bed I did not see Mr Stedman from the time we came in with the prisoners until I went to bed I heard no remarks made by the bailiff or by the corridor guard who let us in as to Bollard's condition

I swear that I never drank liquor in the guard room. On one occasion I took liquor in the Car Company's office. Mr Batees gave it to me. I was unwell That must have been two or three months ago I have been in Higgins' tavern with Mr Beaumont. I drank with him on two occasions, once in Higgins' and another time at the Marlborough House. We were both off duty I was at an oyster supper at Higgins' about a month ago. Beaumont was present.

Wm Doherty,
Prison Guard.

Michael English Cook and Baker being sworn deposed as follows. I informed the Steward Mr McCarthy, that I had seen whiskey or liquor being drank by officials of the prison on the prison premises on or about Christmas I saw Guard Bollard Somers, and Guard O Brien drinking in the steward's room at 6 30 p.m The steward and bailiff were not there at the commencement, but the bailiff came in about 9 p m. I went into the room in order to sleep in the steward's bed that night. I was in the room when the three guards named came into the room Bollard went out for the whiskey about 8 p.m., and came into the room with one bottle first; after that, another bottle was brought in by Bollard from the tavern Doherty came into the room while the drinking was going on and also drank some I drank some also The bailiff drank none The door was locked. I saw Mr Stedman before the door was locked, he did not come into the room. There was some noisy talking I have on two occasions seen liquor being drank in the guard's bed room, it may have been two months ago. I don't know who brought in the whiskey on these occasions; it was brought from the cupboard where the guard keep their clothes Lyons, Doherty and O'Brien drank on three occasions. I did once. I don't know who brought the liquor into the room It was drunk when we were going to bed I have drank on three occasions with Chief Guard Beaumont in Higgins' tavern and Chambers' Tavern On the two occasions on which I drank with him in Higgins' tavern he (Beaumont) was on duty, as Mr Stedman was away from the prison After having drank with him, Beaumont returned to the prison, it would be about half past eight. I never drank with any other officer of the prison I think it was in the fall that I last drank with Mr Beaumont at the tavern. I never saw McCarthy drink liquor on the prison premises or off I have six prisoners under me in the kitchen and two in the bake house The Warden told me that these prisoners were under my control I was first reported for smoking, and on being brought before the Warden was reprimanded That was about six weeks or two months after the prison was opened I was in the front lower store Stedman saw me. Since that time I was reported for smoking on a Sunday morning in the prison yard on my way from the water-closet and one morning last week I was reported for smoking in the Steward's room these are the only times that I have been reported for smoking, but I have often smoked on other times the last time the Steward and Bailiff were smoking also but I believe they were not reported I have also been reported for being asleep on duty I was sitting in the kitchen with my newspaper in my hand, I saw Mr Stedman before he was half way across the kitchen, I have also had prisoners taken away from me when I wanted them very much, they were kept an hour at dinner when a quarter of an hour would have done; that was when the Warden was away on leave of absence, I was obstructed in taking the flour out from the store in the quickest way; on one occasion one of the prisoners was caught smoking in the bake-house, and he was put 36 hours in the dark cell although I wanted him very much, I was not aware at first that I was not entitled to smoke I have asked the Warden to get off on Sunday from 4 p m. to 11 p.m; I have been granted that permission but sometimes it has been refused on one night about three months ago, it was then the 4th of November I came to the prison at 11 p.m, I found the door locked, I tapped at the north corridor window, I saw Guard O'Brien, and thought he would have gone to the Deputy to ask to allow me to be admitted, he did not come to the window again for about an hour, but I did not hear what he said, I then came around to the south entrance, and tapped at the window of the receiving room, no one came, I then walked up and down until 5 a.m then I rang the bell of the large gate when the Watchman Hardy let me in. I should have been in the prison at 9 30 p.m., on that occasion, but I was detained with some business, about two weeks ago I came about 9 27 p.m., and could not get in and went and slept at a house on Queen Street, I have not heard of any guard being let in after 9 30 p.m, unless he had a pass, unless I heard that Bollard on one occasion did get in. On the Sunday of the 28th of October I obtained leave of absence to leave for the whole day that is I left on Saturday night and returned on Monday morning, the Steward looked after the cooking I did not think that it was necessary to obtain leave from the Warden. I have since learned that it was necessary to obtain the Warden's leave of absence. I consider the rule one-sided. Rule No 4 is not carried out, I cannot give an instance. I have no means of knowing, I have seen work done in the shoe shop by prisoners for Mr Stedman and Mr. Beaumont and if I got anything I would at once be reported, I have not known that anything has been done for any officer or guard since the order issued on November 16th that only Government work was to be done. I think both Mr Beaumont and Mr Stedman domineered over me, I know my business, they never found fault with my cooking or baking but they interfered with my work. I have never heard the Warden or Mr Stedman or Mr Beaumont speak against Catholic employés but it was the constant picking that made me believe they wanted to get rid of me.

MICHAEL ENGLISH
Cook and Baker

RICHARD BOLLARD, Guard being sworn deposed as follows.—I have never brought whiskey into the guard room of the prison. I was present one night in the Steward's bedroom when the Steward was absent, along with English, the cook, and Guards Somers and O'Brien, the Bailiff did not come in until the drinking was over. I think Doherty drank liquor one night with O'Brien, I remember the night on which the Warden returned from his leave of absence, I did not get to the door that night at 9 30 p.m. but I knew the Bailiff would be up with the prisoners at about 11 p.m., I waited till he came, when I was let in, I went upstairs myself, when the Bailiff and Doherty came up to the door I heard the Bailiff say "the Warden must be home because there was his dog" I suppose meaning me. I was sitting down until I heard them coming when I went out from the steps and stood up, I have drank with Mr Beaumont in Haggans' tavern in the evening, after the prison had closed, the last time was about a week ago.

RICHARD BOLLARD,
Guard

WILLIAM GIFFORD, Guard, being sworn, deposed as follows.—I am a married guard, on one day of the week I sleep in the guard-room two nights in the week, and the week succeeding, three nights in the week. I have never drank liquor on the prison premises, nor have I seen any drunk. About three or four months ago I was in the Bailiff's bedroom when Mr. Stedman came and knocked at the door, and told me he wished to see me down in the Warden's Office. I came down with him, he said he had asked me down as he wanted me and one or two more to join in with him in trying to get the Catholics out of this. I at once said he has got the wrong man this time, my wife is a Catholic. I stood and looked at him for a few minutes, and turned and walked away to the guard-room, he followed me, but he has never spoken to me since on the subject. I told this about a month afterwards to Guard Doherty, also to the Bailiff and in the guard-room when several were present. I have never heard any such expressions used by any other officer of the prison, I have not seen anything that would lead me to believe that Catholics were to be got rid of, but the statement made to myself by Stedman. I know of no cases of favouritism being shown to any guard or employee of the prison.

WILLIAM GIFFORD,
Guard.

James Beaumont, Chief Guard, being sworn, deposed as follows:—I come into the prison in the morning at 6.30 a.m., since the Canada Car Works have been shut down; while they were in operation at 5.30. My house is on Wellington Avenue. I parade guards at 5.45 a.m. when the Canada Car Works were in operation, but now at 6.45 a.m., and despatch the guards to their respective duties. I supervise the issue of breakfast to all the prisoners throughout the prison; see that it is properly and promptly served. I then post the corridor patrols, and then the guards go to breakfast, and I go with them. The prisoners are then marched out with the night buckets, and then marched back, and placed in column when the gangs are distributed for the work of the day, whether for shop or domestic duty. When the guards report the gangs complete and correct, I then give each gang the order to march off. I then visit the various gangs, and see that they are all properly at work. I then come to the office, and go on with my writing; see that the men for discharge are got ready; when they are marched in to be seen by the Warden. I then receive the instructions of the day from the Warden, and go and see that they are carried out. The time up to dinner, is taken up with supervising the affairs of the prison generally. At dinner time, the gangs are mustered, and numbers reported to me, which I check, which I report to the Warden; after that prisoners' dinner, which takes up from about 12.5 to 12.45 p.m.; half of that time one-half the guards are on duty while the other half are at dinner. The gangs are then marched off at 12.45 to their respective shops, or works, each guard numbering his gang and reporting to see if correct, or otherwise, before moving off. In the afternoon I visit the shops. Am present at visits to prisoners. Show visitors round. Do office work and general work up to supper time, when the prisoners are marched in. I superintend the issue of supper. See that all the prisoners are all marched up to their respective galleries. See that the the guards are all in their proper places; give the signal for cell doors to close; parade guards and take the count; report to Warden and dismiss the guards; post the night patrol, and then go to my supper; if Mr. Stedman has leave of absence to stay out at night, I stay on the premises; if I see any dereliction of duty on the part of any guard or employee of the prison, or any infraction of the rules, I use my discretion as to whether it is sufficiently serious to bring under the Warden's notice, or whether it should at once be settled; but if I settle the matter I caution the parties that a repetition of the offence will be reported to the Warden; the number of cases that I settle are about as many as the number of cases that I report; the Deputy Chief, Mr. Stedman, reports to me, and if his reports are of such a nature as I can settle the report is not carried to the Warden, unless the Deputy desires it. I have frequently had occasion to report the conduct of the Steward to the Warden. I think that the first report I made against him was that he would not attend evening parade to hear the Warden's orders read; the orders are read every night; at first the Steward attended at evening parade, but about six weeks after the opening he neglected to attend. An order was then placed upon the order book requiring the attendance of all guards and every prison officer on the 29th June. The Steward did not hear this, when an order issued on the 7th July only requiring the attendance of the Steward at the reading of orders when an order was to be read affecting that official's duties; after that order was made on the 7th July, another order was made in respect to the duty of the Steward; I notified him of it but he did not attend. I again reported that to the Warden. The Steward has not attended at the reading of orders since before the 29th June, although frequently orders have been made in respect to his duties. Since that I have taken the book to him and read the order affecting him, although an order was made rendering the Steward liable for the care of the prisoners in the kitchen and bake-house gang. I have noticed very frequently that the Steward ignores all rules in the manner of dealing with and speaking to prisoners; he generally calls them by their Christian names—"my boys"—or Mr. them, and instead of giving a direct order he asks if they will be good enough to do so and so. The Cook (English) follows the same course, which does away with all discipline, and is most observable in the conduct of prisoners removed from the kitchen and bake-house to other gangs. Both Steward and Cook smoke before prisoners. I have reported both of them for this, and the Deputy was reported to me for the same offence.

The Steward has stated to me that he would not obey the Warden's orders. Only last week I told him that he must give up at night, the key of the outside door of the

storehouse, he dashed it down on the floor and used the language stated in my evidence before the Warden, and which I now swear is true and correct.

(Statement referred to.)

JAMES BEAUMONT, Chief Guard Central Prison, states as follows:—I am the Chief Guard Central Prison; my duty is to take over all of the outer doors Central Building at "evening count," in accordance to orders. On the evening of the 1st of February instant, finding a key deficient which should have been handed over to me by the steward, I proceeded to the store, and asked the steward for it. The steward became very violent,—jumped up from his seat, and dashed the key upon the floor saying: "There is the G—d d—d key; it has been an eye-sore to Prince yourself and Mr Stedman ever since I have been here, and if I am to be reported I'll make statements true or false and swear to them and get others to swear to them which will make it hot for you and other d——d Englishmen in the Institution for neither Prince, you nor Stedman shall make me subject to your d——d army discipline." The steward cursed every one in the prison, and snapping his fingers in my face addressed me, saying: "Do you call yourself a man, a thing or an ape?" Finding it was impossible to reason with him, I left the store. This took place in presence a prisoner and the cook, the latter stood by laughing.

JAMES BEAUMONT,
Chief Guard

A short time before the last occurrence happened the guards complained of the bad quality of the coffee. I sent to the kitchen for more tea, when I received a message that we must make up our minds to have either all tea or all coffee. I then went to the cook and asked him if he had sent that message; he acknowledged in a very sulky manner that he did. When the Steward came into the prison that morning about 10 a. m., I asked him where he had been; he said he had been in the city in connection with the stores. I called the cook up before the Steward and related the circumstance about the tea, and impressed upon them that I would not allow such a message to be sent to me; that it was the Warden's orders that both tea and coffee were to be served and that it must be properly cooked. The Steward said the cook was wrong and promised that a repetition of it should not again take place. Except this I was not aware of any cause for their invocation and anger shown by the Steward on the occasion of my asking this key. He had sent in one key at the proper time, and as I had occasion to go into the store-room to order some tallow, I merely reminded him of the other, when he broke out as stated. I had not spoken of the Guard Mansell letting the Steward in at the time I went to get the tallow, and to remind him about the other key. But when he spoke of Mansell having reported him to me, I merely reminded him that I was acting as a medium between the prison officers and the Warden.

I had previously reported to the Inspector that the Steward had let persons into the prison through the store room door contrary to the regulations. Before reporting him that he was violating the rules, and that I would have to report him, he said: "report it, and do your best, I don't care."

From all I can see the steward and the cook are getting more defiant of the Prison rules. I have over and over again reasoned with them, thinking they would come under the discipline the same as the other guards. They both said that they would not be classed as guards.

During the Warden's leave of absence, on the first Sunday that Somers was on duty, Mr Stedman came up to me and said: "Why Somers is a Catholic." I said: "what matter, if he does his duty." I said that very sharply. Mr Stedman turned round and walked away. The Warden before that, had frequently warned us not to introduce or discuss religious matters, as he had much trouble with that in the Police Force. That is the only occasion that the matter of religion was alluded to between us, and that is the only time I heard a religious matter referred to in the prison by an officer or guard. I never, on any occasion whatever, saw liquor drank on any portion of the prison premises. I was of opinion that O'Brien brought liquor in secreted upon his person. Meehan was also suspected of doing the same thing. I have called in on my road home at Higgins tavern on several occasions, perhaps three or four times. On these occasions, I have seen some of the guards and have drank with some of them in Higgins' private room never at the bar at the tavern I never visited Higgins tavern while I was on duty I believe I remember the night that the Warden rang the bell for something and that I was sent for I believe that either Eames or Elliott the guards, came and found me waiting in the door of the waiting room I was not at Higgins tavern that night I have seen the bailiff at Higgins tavern, we have had oysters together there. I think one or two guards were present Twice, I think I have been to Higgins with my uniform on No prison officer ever cautioned me upon this subject. I did not think I was doing wrong in associating with the guards, who held non commission rank, the same as myself I have never known that Bollard was drunk. I thought he was a very sober man The guards perform their duties cheerfully and faithfully I never have any trouble with them. The steward and the cook are the only persons I have had any trouble with and the principal trouble with them has been the non-conforming with the rules of the Prison.

Frequently I go down to the kitchen and find the prisoners alone. About four mornings ago I went down five distinct times, and found the cook away I then went into the store and found him smoking and reading I spoke to him asking him if he considered it right to sit in the store-room when he had so many prisoners in the kitchen, he said "yes, if it suits me" When I expressed my surprise, he repeated his answer

JAMES BEAUMONT,
Chief Guard.

RICHARD STEDMAN Deputy Chief Guard being sworn, deposed as follows—I have never seen liquor drunk upon the prison premises I have seen guards drunk and have reported them, I have for this offence reported guards Meehan and O'Brien. These are the only guards or employees of the Prison that I have seen intoxicated on duty O'Brien was discovered on Sunday the 31st January, quite drunk I sent him home and reported him; on the same morning, I saw a bottle, of what I supposed to be liquor, in the steward's room I came down to inform the Warden, and when I went back I found that the bottle had been taken away I knew that O'Brien Bollard and Somers, were locked in the steward's room one night, as they were noisy and thought that they were drinking, but as the door was locked I could not go in Guard Gracey was only in for a short time when he came out, I tried to find out what was going on but Gracey would not say, This took place a few nights before O'Brien was dismissed, I reported to the Chief Guard that I suspected that drinking was going on, I have reported the following guards for various offences and breaches of the regulations, Guards Doherty Gracey Meehan, O'Brien, Coats and Axworthy, Coats and Axworthy were dismissed upon my evidence, I have also reported the steward and cook on three or four occasions the offences for which they were reported were repeated the cook was reported on one occasion for being asleep, on another for smoking and reading a paper while in charge of prisoners, I have very frequently reported the cook for smoking while on duty, so much that I thought there was no use of reporting him any more the cook is altogether too friendly with the prisoners he associates with them, whenever I go through the kitchen he is talking, sometimes joking with them frequently sitting down with them I have reported the steward for smoking on the prison premises twice in the kitchen when prisoners were present twice I reported him for coming in late, I have stopped reporting offences or breaches of rules on the part of the steward and cook The guards are most obedient—do their work cheerfully, I never had any conversation with Guard Gifford about the religions of the guards or officers of the prison and never asked Gifford or any other guard, or any officer of the prison to join me in trying to get Catholics out of the prison service I am not crazy enough to do such a thing I have had private conversations with Gifford, but never on the prison premises about religion but I decline to say what it was, it was a private conversation, but it was not against Roman Catholics, I never said anything to Gifford that would lead him to believe that I wished to get rid of Catholics, I have not reported Gifford or have had any misunderstanding with him For the first four or five months I led the life of a dog in the prison, simply because I did what I conceived to be my duty, but now that they all know that I will do it I have no trouble. The guards can't do too much for one I remember the first morning that Guard Somers attended the Roman Catholic service when it was over I said to Mr Beaumont that Somers is a Catholic, Mr Beaumont said I thought rather sharply "what of that if he does his duty" I thought he was rather sharp, and walked away I was going to say to him the Roman Catholics cannot say anything now as I was the one that recommended him to the Warden as being a capital man At first he served as a guard for the Car Company, I had heard from conversation in the guard room that there was some feeling against me by the bailiff and the cook, I learned from the conversation that it was supposed I was against them because they were Roman Catholics The feeling at that time was general against me because they said I was too strict, that I carried out the Warden's cast-iron orders. That is now completely changed I think the way the trouble in respect to Roman Catholics arose, as far as I was concerned was, because I first reported the cook for some offence I did not know that he was a Roman Catholic then then I had to report the steward, then I had to report Meehan; as they all happened to be Roman Catholics, I think the feeling first came out in that way; I was convinced that it was the case because the next day after I reported Meehan I heard the steward say in the guard-room "the Deputy is going for the Catholics" that made no difference to me I had no ill feeling against Roman Catholics the best friends I have in Toronto are Roman Catholics, at the first Roman Catholic service that was held in the prison chapel I was on duty, the Warden told me that prisoners were not to kneel I was sent to Albany Penitentiary to observe the discipline of that prison, prior to the opening of the Central Prison prisoners were not allowed to kneel, neither at the Roman Catholic or Protestant service I reported that fact to the Warden The priest on the occasion of the first Roman Catholic service in the Central Prison, said that we can't go through our service unless we kneel down, I tried to explain the matter but as he would not hear of it I told the priest that the prisoners might kneel and that I would speak to the Warden, having done so, the Warden said that kneeling might be continued. When I came into the prison chapel on that morning with the prisoners, I had on my official cap I removed it as soon as I gave the knock for the prisoners to sit down; I did not allow the prisoners to walk about in the chapel before the priest came, of course, as soon as the priest came I took my seat, and never interfered after the first Sunday; I have heard the bailiff offer to pay all expenses if Guards Gracey and Doherty would go with him to a house of ill fame I never saw Mr Beaumont drink with guards in a tavern. The orders made by the Warden affecting the steward's department are not carried out; I have heard the steward say when he was in his flying temper that he would not obey such damned orders; I remember the occasion on which the cook came up to the prison late, and was not admitted at 11 p.m. I heard knocking and kicking on the outside of the building I was going to get up when the guard on duty came to tell me that the cook was outside wanting to get in; I told him he must not admit him, the noise continued until it woke me again and the noise of kicking and knocking continued until he was let in in the morning he would have been admitted at 5 p.m. if he presented himself, the rule in respect to locking up and non-admission is strictly carried out; Guard Powell reported the cook that morning.

RICHD STEDMAN,
Deputy Chief Guard.

MARTIN SOMERS guard being sworn, deposed as follows.—I was present in the steward's room one night, I think about the 27th January, Guards Bollard and O'Brien were present, we drank whiskey in the room, Bollard brought the whiskey in; I don't know from where; Bollard brought a second bottle, I don't know where he obtained it; The bailiff came in about nine, and we left the room and went to bed about 10 p.m. I am a Roman Catholic, I have seen no bad feeling against Roman Catholics in the prison service.

M SOMERS,
Guard.

WILLIAM STRATTON PRINCE, being sworn, deposed as follows.—At the time a change was made, Guard O'Brien. I think, in the month of September it came to my knowledge by the report of one of the guards, that liquor had been introduced into the guard's room by

Guard O'Brien. I reported the matter to the Inspector in conjunction with other charges, and dismissed O'Brien. I also produce a copy of an order published in the prison order book, and read to the guards and employees of the prison on the 13th of August, the day of the reinstatement of Guard O'Brien.

Order referred to.

Prison Order, June 4th.—II. Intemperance will not be tolerated among employees neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal, and will never be overlooked.

CENTRAL PRISON,
August 13th, 1874.

Order No. 1.—With reference to order No. 2 of the 1st August, disposing of a charge proved against Guard James O'Brien.—The Warden having taken into consideration that the offence therein specified has been the first of the kind that has been reported to him in connection with the officers of the Central Prison since its organization, he cancels that part of the order dismissing Guard O'Brien from the service of the Central Prison, but with the distinct understanding that upon a repetition of the offence of intoxication, dereliction of duty, or that of bringing the character of the Institution into disrepute by *frequenting and drinking at taverns*, will result in his dismissal, as it is determined that the strictest discipline shall be enforced in the Institution, and that those officers who are wanting in habits of discipline and sobriety shall not be retained upon its staff.

I think that the promulgation of the order referred to, had the desired effect for the time being, as I heard of no cases of drunkenness on the prison premises, until I found Guard Meehan asleep when on duty as corridor night guard, and evidently under the influence of liquor. I had previously noticed that Meehan had been a hard drinker, and refused to accept him on the prison staff owing to that failing, advanced years, and nervous temperament. Meehan was dismissed. The charge against Meehan was published in the order book on the 21st November, and read to the prison officers and guards on that day, with the result thereof, viz. dismissal. The third case of drunkenness reported was that of Guard O'Brien in the guard room and corridors. I had strong suspicions that O'Brien brought in liquor, and made himself drunk on the premises. O'Brien was dismissed and the charge and result published in prison orders of the 2nd February. These are the only three cases of drunkenness reported on the premises. I have had several conversations with the Deputy Chief which led me to believe that on two occasions, guards were locked in the steward's room drinking, but evidence that such was the case could not be produced. I was aware that Guard Bollard was physically unfit for the performance of guard's duty, and so expressed myself; but I never thought until this investigation that he was addicted to drinking, nor had he ever been so reported; on the contrary, that he was a sober man. It was reported to me on the 29th January that great noise was made by the guards after lights were out, and that they had been in the habit of going into the steward's dormitory. I suspected that drinking was going on, and published an order, which was read to the guards, &c., on the 1st February, enjoining strict silence, and that the officers confine themselves to the rooms set apart for them after "lights out," or 9.30 p.m. I have never seen the slightest evidence of intoxication on Chief Guard Beaumont, and until a short time before this investigation, I had never heard that he was in the habit of visiting taverns either by himself or with guards. I cautioned Mr. Beaumont against such a course. About September, after the re-instatement of Guard O'Brien, I suspected that then, a degree of jealousy existed, that a degree of favouritism was shown to O'Brien because he was a Roman Catholic. Deputy Chief Guard happened to report, among the first reports, English the cook, Meehan and O'Brien guards, and Mr. McCarthy steward, all these happened to be Roman Catholics, and the charges were proven against all, and the offences against prison discipline. Orders repealed. From the remarks of the steward, who complained that they were so closely watched by the Deputy, I gathered that he (the steward), and the cook, thought that they were being persecuted, because they were Catholics. I explained to them that no feeling of the sort could possibly exist, as they well knew that no such thing would be tolerated by me, as had also been the case in the police force, that I did not care what religion they belonged to, so long as they did their duty I have frequently enjoined upon the Chief Guard and the Deputy to guard against such feelings, and a short time after the organization of the prison I published an order to that effect (Order No 4 of June 5th). Nothing in connection with that feeling has been reported to me When the steward first came to the prison, he complied with the prison orders, shortly afterwards he refused to attend the evening count, which I considered important, as he had prisoners in his charge which he had to account for Upon his neglecting to attend, an order was made and read to the steward requiring the attendance of every prison officer at the evening count, as it appeared to me to be most important for the safe keeping of the prisoners, that "the officers attend the evening count, and do not absent themselves until the count was ascertained to be correct. Up to this moment the steward has ignored this order He also ignores the order requiring the attendance of officers and guards at the reading of the General Orders in accordance with Order No 3 of the 7th July I originally required that the steward should attend the reading of all orders, believing that it is essential that every officer and guard should know what is required of them in relation to the prison service and in their relation to each other, but finding that he neglected or refused to obey this general order I amended order in his case, only requiring his attendance when the orders touched upon his own duties. He still ignores the order, and won't attend and I am obliged to send the Chief Guard to read such order to him. I produce copies of orders from the Central Prison Order book in respect to the delivering up of all keys of the outer entrance to the centre building and not admitting persons to the prison after "lights out." These orders the steward has ignored He has retained the key of the store-room door and let himself into prison after hours, he has also let others in He has also disobeyed order of June 4th 1874, and June 24th, requiring that visitors shall enter and depart from the south entrance from the central building, and prescribing that no one must be admitted to the prison until a pass signed by the Warden and countersigned by the Chief Guard or Deputy The steward has generally ignored the discipline of the prison and has stated that he did not consider that he was called upon to obey the order published the same as a guard. The cook has taken the same course, and sets my orders and the orders of the officers under me at defiance. I have heard the evidence of Chief Guard Beaumont and Deputy Stedman respecting the breaches of discipline and disobedience of orders on the part of the steward and cook, and from investigations made and of my own knowledge in many instances, I state that they are strictly correct I have frequently reasoned with both of them, but without any good effect.

WILLIAM STRATTON PRINCE,
Warden Central Prison.

Central Prison Order, June 4th, 1873.—*No.* 11 All duties are to be conducted in a quiet and determined manner, and a *boisterous tone of voice in talking, whistling or singing* in the guard room and other parts of the Prison, are strictly prohibited

12 Discussions or disputes of any nature as to politics or anything else, within the prison premises are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition

CENTRAL PRISON, February 1st.

Order No 1.—In consequence of the improper practice that has prevailed, of the officers creating a disturbance in the guard room by talking arguing &c after "lights out," —a practice which is contrary to all prison rule and discipline, and which is peremptorily forbidden in other Institutions of the same kind, the Deputy Chief Guard, who, in the absence of the Chief Guard is held responsible for the quietude and regularity of the prison at night time, will report to the Warden any deviation from the following order

2. It is ordered that silence shall be observed in the guard room and officers apartments, after "lights out," and that the officers confine themselves to the rooms set apart for them.

Prison Order No 4, *5th June*, 1874 —16. Guards are expected to be courteous and respectful towards each other, never using improper language and always cultivating a proper and respectful deportment and they are to abstain from the expression of any political or *religious opinions* calculated to give offence.

June 5th, Order

15 Lights are to be out in the guard-room at 9 30. p.m at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for one evening.

CENTRAL PRISON, July 6th, 1874.

Order No. 1 —The Deputy Chief Guard is to have in his possession all keys belonging to the entrance doors of the centre building at night time these keys are to be taken charge of by the Deputy at 9 30, p m after personally seeing that the doors are locked, and he will enter of a morning in the book designated ' the Chief and Deputy Chief Guards' Note Book,' a certificate as follows —

9 30 p.m 1874

I certify that all officers were present and correct, and lights out at 9.30, p.m (or otherwise, as the case may be.)

DEPUTY CHIEF GUARD.

CENTRAL PRISON, July 13th, 1874

Order No 1 —The attention of the officer is called to Paragraph 15 Rules and Regulations, which is as follows — "Lights are to be out," &c.

* * * * *

The Deputy Chief Guard will see that this Order is not deviated from, and that no admittance into the prison is permitted after the prescribed hour

CENTRAL PRISON, Sept. 26th, 1873.

Order No 1 —The Chief Guard will deliver over to the charge of the Deputy Chief Guard every evening before he leaves the prison, the key of the north entrance gate.

CENTRAL PRISON February 1st, 1874

Order No 2 —All keys of the outer doors of the central building are to be delivered up to the Chief Guard at the evening counts.

CENTRAL PRISON, June 4th 1873

Order No. 4.—(19) Visitors to the Central Prison must enter and depart through the south entrance of the centre building and when passing through the prison will conduct themselves in a quiet and orderly manner, loud talking laughing, and personal allusions to prisoners, by pointing or otherwise, are strictly prohibited

CENTRAL PRISON, June 24th, 1873

Order No 1 —No person shall be admitted to the Central Prison other than employees and officials connected with the prison without they produce a pass according to the prescribed form, which is signed by the Warden, and must be countersigned by the Chief Guard or deputy

CENTRAL PRISON, August 31st.

Order No 1 —It having come to the knowledge of the Warden that persons have been improperly admitted into the Central Prison, by prison employees, it is ordered as follows —

1st. No person will be admitted into the prison after 6, p.m. and not after 4, p m., on Saturdays and no admittance on Sundays (Clergymen excepted)

2nd. No person whether a friend of a prison officer or not will be admitted without a pass, previously countersigned by the Chief Guard or Deputy, and these officers are strictly enjoined to use great discretion in allowing people into the prison works; indeed it is better to apply to the Warden, when applications are made to visit the prison works, as it is not at all desirable that these works should be open to visitors, except under special circumstances, and no employee of the prison will be permitted to obtain a pass for a friend to visit the prison yard or works unless with the express permission of the Warden.

3rd. Admittance to the prison will take place during the specified hours, by the south entrance centre building and through the east entrance gate. Persons having been found in the premises, admitted through any other medium, are to be arrested.

4th. It is distinctly ordered, that the north entrance of centre building is to be used only for admission of stores for prison use.

Form of pass.

Good only when countersigned by the Chief Guard or Deputy, and good only from the gate to and from the place designated.

CENTRAL PRISON OF ONTARIO

Warden's Office, ________, ____ 1874.

Pass ____________________________,

From ________ Gate to ____________

____

____

W. S. PRINCE.

☞ The person holding this pass will be arrested and reported to the Warden's office, if found in any other than the places designated in writing in this pass.

CENTRAL PRISON, June 19th.

Page 8, Regulations.—15. Employees are strictly prohibited at all times from smoking inside the walls or cell-houses.

CENTRAL PRISON, August 20th.

Order No. 4.—The employees of the prison are referred to the prison rules and regulations. Paragraph 15, page 8. The Chief Guard will see that this is read to them.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, February, 19th, 1875.

SIR,—I have the honour to report for your information, the escape of two prisoners named Lake and McKeown, transferred from Woodstock and Toronto Gaols to the Central Prison, under the following circumstances, viz.:—

The prisoners having by some means, cut through the bars of their cell doors, so as to obtain a space of $8\frac{1}{2} \times 7\frac{1}{2}$ inches, crawled through and reached the floor of the corridor, from the 3rd and 4th galleries of the south wing, by means of a crank shaft. They then concealed themselves in the dining room, and taking advantage of the door being opened to admit the yard night guard and engineer, and its being left open during the time he was examining the thermometers to ascertain the temperature of the building, the prisoners stepped into the yard broke open the clothes store dressed themselves gained the top of the wall by forcing one of the tower doors, and made good their escape. They have not since been heard of.

An investigation was made by me into the circumstances of the escape, and I found as follows:—

1st. That the escape was due to the gross neglect of duty and carelessness of Night guard Powell who was dismissed with forfeiture of all arrears of pay.

2nd. To the inadequate arrangements made by the Warden to ensure a proper observance of duty by the night guards, and to the loose manner in which that duty had hitherto been performed a knowledge of which encouraged these prisoners in their attempt to escape.

3rd. To the fact that the entrance to the wall towers is from the inside of the yard, instead of being as recommended by me on the outside of the walls. This is the second escape that has been facilitated by this means.

I at once gave directions to the Warden to take the most stringent measures to prevent a recurrence of this event, framing his orders so as to meet every detail of night guard duty, and improving such checks upon their vigilance by night visits and otherwise that a rigid performance of duty should be imperative. The Warden now reports that such measures have been taken as to effectually prevent other escapes by the same means.

I have the honour to be, Sir,
Your obedient servant,
J. W. LANGMUIR
Inspector.

The Hon. A. McKellar
Provincial Secretary.

WILLIAM HARDIE Prison yard Guard and Foreman, being sworn, deposed as follows:— My duty is to keep the steam up at night and Prison yard Guard. I go on duty at 5 p.m., and go off duty at 7 a.m. I visit the corridors at various times during the night in order to examine the steam pipes and find out the state of the heating; I enter by the centre dining-room door leading out to the yard, then I open the wooden outside door and knock on the iron gate for the night-guard to admit me; entered four times last night,—at 9 p.m., 10.35, p.m., 1 a.m. and 4 a.m.; knocked three times, but at 4 a.m. found iron gate open; have found it open several times before this; Guard Powell on duty last night, was on duty when I found the gate open; found it open when O'Brien was on duty; don't remember any other guard's name who has been on duty when gate was left open; never reported that I found the gate open before this. After entering at, as usual, the north and south corridors to examine the dormitories saw and spoke to Guard Powell on each occasion of my entering. Powell followed me to the door on each occasion of my going out. Powell knew about what time I would come, so that he expected me. Have sometimes knocked at the door and waited for a quarter of an hour and had to go away without being admitted. I have told guards that I have been obliged to go away. Saw nothing unusual when I went out at 4 a.m. last night; heard no noise in the yard; could not say whether the gate was locked when I went in at 4, a.m. before Powell left it to follow me to north corridor.

WILLIAM HARDIE,
Prison-yard Guard.

JOHN POWELL Guard being sworn, deposed as follows.—Went on duty last night as night guard at 6, p.m., went off duty at 6.30 a.m.; saw Chief Guard at 7 and 8 p.m.; Guard Hardie about 10 and 11.30 p.m., at 12.30 and 2 and 4 a.m.; did not come in at 11.30; saw the Warden at 11.30, and spoke to him; passed through guard room and saw guards on duty at 7.30, 9, 8.30 p.m.; saw the Deputy Chief at 9.30; passed through guard-room on my way to hospital; went to hospital through south corridor stone steps at 1.30 and 4.40, a.m.; saw no guards on these occasions; went nowhere else than from one corridor to the other through dining room except on those occasions, have key to open wicket gates, hospital key of outer gate from dining hall to yard the dark cell key and key of sleeping-room, when on duty as night guard always keep these keys in my pocket; Yard-guard Hardie did not knock when he wanted to come in at 4 a.m.; had opened it for him, and stood waiting for him at the door of the north corridor, left key in the door and did not go back to lock it until Hardie went away about five minutes, went with Hardie into corridors at 2, a.m., and 4 a.m.; sometimes hang key of gates on the ledge over dining room door. I frequently leave it there sometimes carry it, with wicket key in my hand; meant that I carried a small key in my pocket door was left unlocked when I went round with Hardie at 2 a.m. door was not locked when Hardie was in at supper at 12.30, a.m., stayed with Hardie at that time, close to gate, did not follow Hardie into corridors at other times, when he came in, stood at the door till he came out, door was unlocked; spoke to one prisoner in his cell, No. 14 gallery, south wing, at about 8, p.m.; he was making a noise laughing, heard no other unusual noise during night; went to top gallery south wing at 7.30, heard talking there; visited top gallery, both sides, about 1, a.m., did not visit galleries 7 and 8; visited 5 and 6 once about 11; visited 3 and 4 once 10.15, p.m., and once a little earlier frequently passed round 1 and 2; visited 9 and 10 frequently; visited 11 and 12 about 6.45 p.m., a part of 14 about 9 or 10 p.m., visited first cell only; did same thing 10 and 12 galleries, did not visit these galleries again; did not visit 13 and 14 till between 1 and 2 a.m. and then only went to the end, except when I went to prisoner in 14 gallery early in the evening; visited 15 and 16 galleries three times, once at 7.30, 8 and 9 p.m., and 15 gallery, went only part of the way about 7.30. Did not visit 15 again through the night. When Guard Hardie went out at 4 a.m. I followed him to the gate and locked it, then walked around south wing north wing and then up to the hospital. Visited dark cell before I went up to the hospital. I took key of gate in my hand when I went up to hospital, kept key in my hand from that time till I was relieved. Put key on ledge over door frame, at 11.30; it was there all the time until after 4 a.m.; used wicket key at about 4.30 and came into the Warden's office, remained six or seven minutes, locked gate and took key with me, came into office to make out my report.

My instructions are that I am to visit the galleries frequently, no time is mentioned. Guard Hardie has told me that he has knocked without being able to gain admission. I told him I came as soon as I heard him. Did not see Prisoner McKeown last night, did not look into his cell; knew him, did not know him to be a dangerous prisoner. Saw him sitting reading one night; did not speak to him that I am aware of. Did not know Lake. Heard no noise from these galleries last night. Thought it unnecessary to visit galleries frequently as I heard no noise. My opinion is that the prisoners got out of the gate into yard, while unlocked at about 4 a.m. while I was in north corridor with Hardie. Prisoners might have concealed in dining room as it is dark. Heard the orders read with reference to escape of prisoners; extraordinary vigilance enjoined. Warden has frequently called my attention to necessity for going round galleries when visiting me at night. Understood from night guards who I relieved, that I should come into Warden's Office to make out reports.

JOHN POWELL,
Guard

Prisoner W. HOWARD, No. 335, cell next Lake's.—Heard no noise during night. Heard guard, or thought it was guard, pass once through night.

Prisoner J. TURNER, No. 306, gallery 15.—About 10 or 11 p.m., was lying in bed awake, heard some one pass and saw two prisoners as they passed; went very quietly. Stood at end of gallery some time. Staid awake for two hours in order to tell the night guard. Did not see the night guard at all. Heard them climb down crank bars at south end. Heard no other noise.

WILLIAM SKENE, No. 290, Gallery 14, next to McKeown.—Heard whispering in gallery 16 and slight noise about twelve, p.m. Heard no other noise. Thought it was the guard.

WILLIAM THORNTON, No. 262 next to McKeown.—Heard noise like filing every night this week. Heard telegraphing with spoons on door at night.

Rules and Regulations for the government of the Central Prison of Ontario, Toronto.

DEPARTMENT OF
INSPECTION OF ASYLUMS, PRISONS &c., ONTARIO
TORONTO, 9th April, 1875

SIR,—I have the honour to transmit herewith for the approval of His Honour the Lieutenant-Governor in Council, a copy of the Rules and Regulations framed by me, in conformity with the provisions of 34th Victoria, cap. 17, section 7, defining the duties of the various officers and employés of the Central Prison, and regulating the management, discipline, and routine of that institution, all of which is respectfully submitted.

I have the honour to be, Sir,
Your obedient servant,
J W LANGMUIR,
Inspector

The Hon the Provincial Secretary,
etc.. etc.. etc.

The annexed Rules and Regulations, for the Government of the Central Prison of Ontario, were approved by His Honour the Lieutenant-Governor in Council, on this 19th day of April, 1875

J G SCOTT,
Clerk Executive Council.

Executive Council Office,
Toronto, 19th April, 1875

I

1 The Officers and staff of the Central Prison shall be as follows —

A Warden
An Accountant.
A Surgeon
A Storekeeper.
A Chief Guard
A Deputy Chief Guard.
A Bailiff
An Engineer
A Cook (and Baker)

And such guards as may from time to time be required

II

WARDEN

2 The Warden is the responsible head of the prison, and superior in authority to every other officer It is his duty to see that the rules and regulations are strictly observed, and he is responsible for the proper administration of the affairs of the prison except in the financial department.

3. He shall, with his family, be required to reside in the prison, but shall not use the prison labour (except for purposes specified by the Inspector), nor shall he use the services of any officer or servant of the prison for his private advantage He shall, in virtue of his residence, be entitled to fuel, light, and water in addition to furnished apartments, but shall receive no other perquisite whatever

4. The Warden is responsible for the discipline of the prison but shall not use the and prisoners , he shall carry out all orders made and instructions given by the Inspector of

Prisons, he shall frame and issue from time to time such orders as may be necessary in furtherance of the prison rules and regulations, entering such orders in the "Warden's Order Book"; he shall interpret all rules and instructions, in cases where a doubt arises, and his decision shall be binding on the other officers, and relieve them from responsibility; he shall see that all the officers under him are careful, vigilant and zealous in the performance of their duties; he shall report to the Inspector of Prisons any neglect of duty, carelessness, insubordination or disobedience of orders on the part of any officer of the prison, and shall see that any orders made by the Inspector for such misconduct under the provisions of 34 Vic., Cap. 17, sections 8 and 9, are strictly carried out; he shall see that justice and morality characterise the conduct of all officers; that no unnecessary severity or harshness is used towards any prisoner; that no profane or indecorous language is used by any officer or prisoner; and that the prison service generally is carried out with humanity and discretion.

5. In giving effect to the rules framed for the encouragement of good behaviour and industry, great responsibility is thrown upon the Warden and every officer of the prison, that, by giving to every prisoner the exact measure of justice to which his behaviour entitles him, the true intention of the rules may be carried out; and as the discipline of the prisoners depends upon the impartiality, intelligence and discrimination of the subordinate officers of the prison, it shall be the duty of the Warden by constant examination and supervision to satisfy himself that the reports as to the conduct of prisoners are correct and reliable.

6. The Warden is responsible that the rules and regulations in respect to the dieting and clothing of the prisoners are strictly enforced; that the food is well cooked and cleanly and wholesomely served, and punctually at the times appointed; he is to see that due economy is exercised in the preparation of the food, and that any changes in the dietary recommended as necessary by the Surgeon are properly carried out. He shall be present at least once a day at the meals furnished to the prisoners, to see that all regulations are observed.

7. The Warden is responsible that any prisoner who is reported sick by the Surgeon, shall be placed in the hospital and supplied with the diet ordered by the Surgeon. He shall visit the hospital at least once a day to see that the regulations and the orders recorded in the Surgeon's Minute Book are duly observed.

8. The Warden is responsible for the preservation of cleanliness and order in every part of the building, yards and grounds, and shall see that the shops and grounds occupied by the contractors are at least once a week cleared of filth, dirt, cinders and refuse matter, and that no lumber or material is piled on the grounds that will endanger the safe-keeping of prisoners; and shall see that the persons of the prisoners, their clothing, bedding and cells are clean and well kept. He shall see that the walls are whitewashed as often as necessary, and that no cutting, writing, or mark of any kind (except the necessary prison marks) is allowed to remain on the furniture or walls or on anything belonging to the prison.

9. The Warden is responsible that the prison is properly heated, ventilated and lighted. He shall see that thermometers are kept in the various positions known to be the warmest and the coldest portions of the corridors, which shall be visited at stated hours during the night, and a record kept of the temperature at such times.

10. The Warden is responsible for the security of the prison, and shall see that the following rules are observed.

(1.) That the locks are secure and in good order.

(2.) That the entrance doors of the prison shall never be left open, or a key left in any lock, and that the keys are in the custody of the person in charge at all times.

(3.) That before a guard enters a cell while any prisoner is in the corridors, the bolt shall be shot and the keys shall be removed so that the door cannot be closed upon him.

(4.) The Warden, or an officer deputed by him, shall once a day at least examine all cell doors, stair and passage doors, and carefully examine each window grating.

(5.) That all implements, or materials of work calculated to facilitate escape, shall be carefully collected and removed each night from cells and corridors and locked up in a secure place. No ladders shall be allowed to remain inside the prison proper, but shall be kept in a securely locked store.

(6.) That all prisoners employed in domestic offices shall be closely watched, and

never left unwatched. No prisoner shall have access to the main door of the prison, or be allowed to communicate with prisoners in their cells

(7.) That all prisoners, cells, furniture and bedding shall be carefully searched at irregular intervals to see that no improper articles are concealed.

11. The Warden is held responsible that each night, before the hour of retiring, every part of the prison in which prisoners are confined shall be visited either by himself personally, or by the Chief Guard, and he shall cause the night guards to be visited on each night at irregular times to make sure that they are on the alert.

3 12. The Warden is held responsible that all guards who are placed on duty for the night, shall be fit for duty in every respect, and shall so arrange the Roster for night duty that no excuse can be offered for sleeping on their post

13. The Warden is responsible that the working gangs are paraded at proper hours, and marched off to their various workshops; that in the case of sickness or discharge of a prisoner, another shall be selected to fill his place, and thus keep up the complement; that the shop guards, instructors, and workmen employed within the prison walls observe all the regulations of the prison; that the regular hours for work be not exceeded; that the gangs are mustered and counted at each meal and before locking up, that each prisoner may be present when closing the prison for the night; that the workshops, boiler-houses, engine rooms, store-rooms, sheds, water-closets and lumber yards shall be examined every night after locking up, to see that all is safe; that the fastenings of all gates or doors leading to the outside shall be secure and locked, and that no person other than the employees of the Prison is on the premises; that no material is placed at or over the walls to facilitate escape on the inside or outside; that the yard night guard is vigilant and alert in the performance of his duty; that the wall guards are at their posts before the prisoners are allowed into the yards in the morning, and do not leave their posts until after locking up at night; that they are properly armed; that their rifles are in good order, and that they have a sufficient supply of ammunition; and that every means are taken to ensure the security of the prisoners during working hours.

14. The Warden shall visit each workshop at least once every day during the time the prisoners are working, and shall satisfy himself as to the behaviour of each prisoner, his industry, sobriety and zeal in the execution of his work. He shall observe the relations that exist between the prisoners and guards, instructors and workmen, with a view to check undue familiarity or intimacy; and shall see that no prisoner is worked beyond his capacity or strength, and that no favouritism exists.

15. He shall satisfy himself that no prisoner receives any gift, reward or letters from any guard, instructor or workman, and that no communication is carried on by such means with parties outside the prison. Should he discover such correspondence, he will at once suspend the offender, and prevent further intercourse with the prisoner, reporting the circumstances to the Inspector of Prisons.

16. The Warden shall not absent himself from the prison for more than twelve hours without giving notice to the Inspector of Prisons, nor shall he absent himself from prison duty for more than forty-eight hours without leave of absence, or in case of sickness, reporting himself sick to the Inspector of Prisons. On all occasions of his absence he shall leave the next senior officer in charge, who shall perform all his duties, and be subject to his responsibilities; but it will be the duty of such officer to reserve for the Warden's consideration all important matters that do not demand immediate settlement. Should an extraordinary emergency arise, reference will at once be made to the Inspector of Prisons.

17. When any subordinate officer is found by the Warden to be unfit for his duties, or defective in moral character, it shall be his duty to report the case to the Inspector of Prisons, suspending him from all prison duty pending the Inspector's investigation into the case. The Warden will not, however, summarily dismiss any officer without such investigation. When any officer is so suspended, and from the date of such suspension, no wages accruing or in arrears will be paid to him, as he is held liable to fine under the Inspector's authority.

18. The Warden shall consider it his duty to make himself acquainted with the social habits and conduct of every officer of the prison; particularly whether, when off duty, he is a frequenter of taverns or houses of similar resort, or associates with idle or loose characters, reporting the facts to the Inspector.

19. The Warden shall use every means in his power to forward the reclamation of the

prisoners under his charge. He shall see that they attend Divine Service regularly, or such religious meetings as may be held for their benefit and instruction, and shall facilitate their communication with clergymen of their respective denominations for religious instruction. He shall see that the books of the library are regularly issued to those entitled to their use, and that morality and decorum characterise their behaviour.

20. When a prisoner is received into the prison the Warden shall cause him to be bathed, his hair cut and beard, &c., shaved, and he will then be examined by the Surgeon; should he be suffering from any disease he shall be disposed of as the Surgeon shall request. He shall be clothed in prison dress, and the Warden or Chief Guard shall read over to him the rules of the prison, and if free from disease, he shall then be removed to a cell, and be placed in a working gang.

21. The Warden shall cause a complete inventory to be made of all property or clothing found on the person of a prisoner in a book to be called "Prisoners' Effects Book"; should any money be found it will be handed to the Accountant to be deposited in the Post Office Savings Bank in trust for the prisoner, and it shall be paid to him on his discharge with any interest that may have accrued. Upon the serious illness of a prisoner, he shall notify a clergyman of the denomination to which the prisoner may belong, and shall consult the wishes of the prisoner as to any particular person he may desire to see. Upon the death of a prisoner he shall at once report to the Inspector of Prisons in writing, giving particulars as to name, sentence, where from, duration of illness, nature of disease, etc., and when practicable shall inform the nearest relations of the deceased, and shall record the facts in his Journal. In case of the escape of a prisoner he shall instantly give information to the Inspector of Prisons, and to the Chief Constable of the City and neighbouring towns, giving a description of his person. Before any prisoner is discharged he shall cause him to communicate with his relations or friends, stating on what day and at what time he will be released, that they may have an opportunity of sending him money to procure a passage to his home. Passage money so supplied will be expended by the Warden, who will cause a ticket to be purchased for the prisoner, and have him placed on the train in order to ensure his departure. In the case of a prisoner having no means to enable his reaching home the Warden may recommend to the Inspector that a ticket shall be procured for him, and if granted he shall be placed on the train by an officer of the prison.

22. The Warden shall cause to be kept the following books, viz.:—

(1.) The Prison Register, containing the name and descriptive details relating to the prisoner, nature of offence, term of sentence, &c., &c.

(2.) The Punishment Book, showing the nature of offence and extent of Punishment awarded.

(3.) The daily Journal of occurrences at the Prison, with any remarks he may think called for respecting them.

(4.) The Warden's Order Book, in which all orders issued from time to time must be entered.

(5.) The Reference Book, in which must be entered all minor cases submitted for decision to the Inspector of Prisons, with a margin for remarks.

(6.) The Inspector's Minute Book.

(7.) Prisoners' Effects Book.

(8.) The Prisoners' Labour Distribution Book.

(9.) Officers' Misconduct Book.

(10.) Prisoners' Visiting Book.

23. The Warden shall make the following returns to the Inspector of Prisons, viz.:—

(1.) A weekly return showing the movements of prisoners in the prison for the preceding week, with distribution on back, showing occupation at time of return.

(2.) A quarterly return of all punishments inflicted, and for what offence.

(3.) A quarterly return of clothing, &c., issued to prisoners, showing the condition of that which is in use.

(4.) A quarterly return showing the work performed in the prison workshops for the preceding three months with value of material, &c., used, and value of stock manufactured.

(5.) An Annual Report for the year ending 30th September, showing the operations of the prison for the year and containing the following tables

Table showing movements of prisoners during the year.
Remarks upon working of the prison
Distribution of prisoners on 30th September
Nationality and religion of prisoners.
Social condition and habits of prisoners.
Education of prisoners.
Ages of prisoners
Terms of sentences.
Counties from whence committed
Offences for which committed
Occupation previous to committal

III

ACCOUNTANT

24 Subject to the control and authority of the Inspector the Accountant shall act as Financial Agent of the Prison and shall have general superintendence and charge of its financial affairs.

25 He shall purchase and pay for all supplies and stores for every department of the prison, when authorized by the Inspector to do so, and no bills for the same or for any service connected with the prison shall be paid without his knowledge and without having been first submitted to and marked approved by the Warden

26 He shall keep the accounts of the prison, and prepare monthly statements of the receipts and expenditures thereof which shall be sent to the Inspector for audit, to be forwarded by him to the Treasurer of the Province for payment.

27 He shall make an exact copy in the day book of every account paid by the prison and shall accurately analyse the same under proper heads of service on the Journalising side; he shall post such entries in the Prison Ledger every month, immediately after the accounts have been paid and shall then make out a statement of all expenditures in *duplicate*, to be laid before the Inspector and the Warden, showing the balance unexpended on the appropriations for the year's maintenance under each heading.

28 He shall examine and check all invoices, and with the Storekeeper shall check all goods by the invoices and shall see that all quantities are entered in the stock book, and that the quantities of goods received agree with those charged on the invoice and shall procure the signature of the Storekeeper to the invoice as "received and correct," before forwarding the same for payment.

29 He shall, from time to time, check the "Stock Book" with the "Issue Book" and see that the quantities issued and in store agree with the quantities in the stock book, and that these books are properly and neatly kept.

30 He shall be held responsible that the quantities of supplies in store are adequate for the requirements of the prison, and shall, from time to time, as requisitions are made upon him by the Storekeeper marked "approved" by the Warden, make purchases of the same when authorized by the Inspector if such goods are not then in store

31 Supplies for the prison shall whenever practicable, be obtained by contract, which will be entered into by the Inspector of Prisons. The Accountant shall take care to give timely notice of the termination of every contract, so that a new one may be entered into It shall be the special duty of the Accountant to see that all contracts made for supplies are faithfully executed, that the articles are strictly of the quality specified in the contracts, and delivered at the time or times required. Especially with reference to articles of food, he shall take care that if any part is unwholesome or not fully according to the specification of the contract, he shall cause it to be at once taken away by the Contractor and if the Contractor does not immediately replace it according to contract, he shall cause a quantity sufficient to replace it to be purchased forthwith in the market, the price of which shall be charged in the Accountant's books against the Contractor

32. If any doubts arise as to the fitness of any article of food, he shall, together with the Warden and the Surgeon, decide whether the same shall be received or rejected

33. In order that a strict system of economy may be insured, the Accountant is enjoined to make such inspection and inquiry into the expenditure under each head, that he may be satisfied that the expenditure is legitimate that the appropriation for each service is not exceeded, or that there has been no apparent want of economy in the use of that which has been consumed

34. He shall receive from the Warden, weekly, the time books of the various shop guards which he shall see are properly certified in the manner prescribed in the contract leasing certain prison labour and when examined and found to be correct, he shall charge in the books kept for that purpose, the amount of convict labour furnished to Contractors under the terms of their contract.

35 He shall also keep in a book provided for that purpose, a record of prisoners labour expended upon any alteration, improvement, repair, or addition to any of the buildings, works, machinery, drains, yards, grounds, or property of the prison, or any prison labour expended on the farm or garden and in the various branches of the domestic and disciplinary services of the prison, such statement of prisoners labour to be made up weekly and certified by the Warden so that the precise value of prison labour may be ascertained and preserved

36 He shall receive from the Warden from time to time, lists of prisoners, their ages, and previous occupations, in order to enable him to make tender of their labour to the Contractors He will note in a book to be kept for that purpose, the number, names, and dates of such tenders and he shall furnish to the contractors all accounts and statements called for by any existing contract.

37 He shall attend at his office regularly from 9 a m until 5 p.m. in summer from 10 a.m until 4 p m in winter, and at such other hours as may be necessary for him to leave no arrears of work

38 He shall prepare and make out the following statements for the office of Inspector of Prisons —

(1) Statement of expenditure (monthly) in duplicate, to accompany monthly accounts, by the 18th of each month.
(2) Statement of revenue and expenditure (monthly) to accompany vouchers of receipt.
(3) Statement of labour account as furnished to Contractors (monthly)
(4) Statement of casual revenue (monthly) by the 18th of each month
(5 Requisitions for supplies (quarterly) and stock list of articles in store, on the 1st January, 1st April 1st July and 1st October in each year
(6) Abstract from stock and issue book showing losses of clothing by wear and tear during half year
(7) Inventory of prison property (yearly) on the 1st January

39 He shall also prepare a statement of expenditures for the year ending 30th September, together with

a. A statement of labour account furnished to Contractors for the year ending 30th September

b. A statement of casual revenue for the year ending 30th September These statements must be in the Inspector's Office by the 5th of October

40 He will also prepare similar statements for the year ending 31st December which must be in the Inspector's Office by the 20th December as no payments can be made from the Treasury Department after that date On furnishing this statement he will close his books for the year

IV

SURGEON

41 The Surgeon shall visit the Prison at least once a day, not later than 9 a m , and oftener if required he shall have the general charge of the health of the prisoners, and the officers and employees of the Prison resident upon the premises and shall be responsible for the professional treatment of those who require such treatment.

42 He shall see every prisoner as soon after his admission as practicable, and he shall see that the weight of each prisoner is recorded on being received into the prison shall carefully examine him as to the hardness or softness of his muscles, the pliancy or stiffness of his limbs, and the general state of his health, the result being duly recorded He shall note any evident peculiarities in the mental qualities of prisoners.

43 He shall visit sick prisoners as often as the different cases may require, and at least once in every month he shall go into every room and cell in the prison and see every prisoner, He is responsible in the course of his visits or otherwise, for discovering whether there is any cause of sickness in operation especially from the following, viz want of cleanliness, either in the person of the prisoners or in their clothing or bedding, insufficient supply of food or of water unwholesome quality of food or of water, want of warmth, either from the coldness of the cell or from the insufficiency of the clothing or bedding; want of ventilation; dampness or malaria; imperfect drainage, insufficiency of exercise in the open air

44 Whenever he discovers any cause of sickness he must give immediate information of it to the Warden and if the evil be not remedied immediately it shall be his duty to communicate the fact in writing to the Inspector of Prisons

45 The Surgeon shall keep a book to be called the "Medical Register," also a book to be called the "Surgeon's Minute Book" both of which shall be open to inspection in the Prison and Hospital He shall enter in the Medical Register the nature of every case of illness which is sufficient to prevent a prisoner from working giving the date of commencement of such illness the name of the prisoner, the ailment or disease, whether the prisoner was treated in the hospital or in cell, the result of such treatment, and the number of days that the prisoner was incapacitated for labour, while under his care, also every death and the causes of the same In his "Minute Book" he shall record daily, for the information of the Warden and the Hospital Guard, opposite the name of the prisoner requiring medical treatment, his orders for exempting such prisoner from labour, giving the period of such exemption, his prescription for medicine and treatment in every case, orders for extra diet, and the continuance of the same, and all directions and orders for the proper treatment and care of sick prisoners.

46 At his morning visit he shall first see the prisoners who report themselves sick, and he shall then decide whether they shall be returned to their work or shall be ordered to the Hospital or their cells for medical treatment, reporting the names of the sick to the Warden In performing this duty, he must bear in mind that with many prisoners every means will be resorted to, in order to shirk their work, and much depends upon the skill of the surgeon in detecting feigned sickness

47 He shall visit daily those prisoners who are under confinement for prison offences, and he shall be present on all occasions that it may necessary to inflict corporal punishment.

48. In attending the prison officers, resident upon the premises, who may be incapacitated by illness from the performance of their duties, he shall report to the Warden the nature of their illness, and when they are able to return to their duties. And when desired by the Warden shall visit officers at their houses and report similarly upon their case If prevented from attending to his duties through illness or other unavoidable causes, he shall submit for the approval of the Inspector the name of another medical practitioner who shall perform his duties during his absence.

49. He shall report to the Warden from time to time as may be required, upon all matters pertaining to his duties, and annually or oftener if required he shall report to the Inspector upon the health of the prisoners, and the sanitary condition of the Prison, with such recommendations as he may deem necessary for the preservation of health and improvement of the service, and he shall also give such statistical returns as are or may be required

50 A guard styled the "Hospital Guard," is detailed to assist the medical officer in the execution of his duties. His duties are at all times, to follow the directions of the medical officer, and obey his orders in the treatment of the sick.

V

STOREKEEPER.

51 The Storekeeper shall take charge of the stores and store-rooms of the Prison, subject to the supervision of the Accountant and he shall be held responsible for the condition of the goods committed to his care, and for the order and neatness of the store-rooms.

52 He shall see that every article of clothing and bedding and all general stores that will admit of it, are properly marked with the prison stamp, as soon as they are received into store, and before they are issued for service

53 He shall keep the following books —A book to be called the 'Stock Book,' in which a separate account shall be opened for every article of food, clothing, bedding, furniture furnishings and property belonging to the Province, for the use and purposes of the Central Prison, charging on the debit side of the account, in weight quantity or measure, every such article received into store for prison use and crediting monthly all issues of the same for consumption and use a book to be known as the Issue Book in which shall be entered daily the weight quantity &c, of all stores or supplies issued for consumption or use, and which shall be made up monthly and entered on the credit side of the Stock Book

54. A book to be called the 'Ration Book,' in which shall be entered weekly, in detail the provisions and supplies used for rationing the prisoners, showing the entire cost of the whole for the week, and the average daily and weekly cost per prisoner also giving the same information in respect to the guards' mess, two copies of these abstracts shall be prepared and handed to the Accountant at the end of each week, one for transmission to the Inspector and the other for the Warden.

55 The Storekeeper shall make requisitions upon the Accountant for all provisions, stores and supplies for the use of the prison and prisoners such requisitions to be first submitted for signature, and marked as approved by the Warden.

56 The Storekeeper shall deliver such provisions, stores and supplies to such officers of the prison and at such times as the Warden shall designate, upon such officer presenting a requisition for the same, signed and marked " approved " by the Warden

57 He shall assist the Accountant in keeping the books of the prison and in the preparation of the monthly accounts, and shall render such other assistance to the Accountant as the duties above detailed will allow He will also perform such other duties as may be assigned to him by the Inspector of Prisons and shall remain in his office from 8 a.m. until 6 p.m.

58 He will remain in the Bursar's office during office hours in the absence of the Bursar.

VI

CHIEF GUARD.

59. The Chief Guard shall reside upon the premises and under direction of the Warden, take principal charge of the premises day and night, and shall see that all the disciplinary officers and employees faithfully perform the duties assigned to them by the rules and regulations, and the Warden's order book

60 He shall be present at the opening and closing of the prison keeping a record of the reception and discharge of prisoners inspect the prison at closing and see that all is in good order

61 He shall report to the Warden every morning the names of prisoners reporting themselves sick stating what is their complaint He shall take the medical officer to see the sick or complaining in the cells or hospital.

62 He shall prepare requisitions upon the storekeeper for such articles of stores as may be wanted confining his requisitions to that which is necessary, and preventing all waste and extravagant expenditure, but such requisitions must be marked ' approved ' by the Warden before the stores can be drawn.

63 He shall every day cause to be examined, the blankets, beds furniture locks doors, and cells generally, and see that they are not injured and that no attempt at escape has been

made and that no implements are concealed Whenever he discovers anything wrong, he shall report the same to the Warden

64. He shall spend the whole day in general supervision of the disciplinary officers and employees, and shall direct them in their respective duties. He shall receive reports from such officers and employees of all cases of disobedience or violation of rules, and shall report the same to the Warden—attending before the Warden on his disposal of offending prisoners In the absence of the Warden, the Chief Guard shall have the Warden's power and authority, so far as relates to discipline &c. and shall be obeyed and respected accordingly

65 He shall be minute in the inspection of the guards when coming on duty, especially the wall-guards and their arms.

66 It shall be his duty generally to see that the whole establishment exhibits thorough neatness, good order and cleanliness.

67. He shall at all times have a strict supervision over the internal affairs of the prison, and especially of its police, and he shall be held responsible to the Warden that his orders are strictly obeyed, and to this end the Chief Guard must be present day and night that he may be able during the evening and night to see that all is safe, and that the officers on duty are vigilant and that the officers in the guard room are correct, and the guard room quiet, reporting anything otherwise to the Warden

68. He shall constantly reside at the prison

69 He shall visit the several working parties frequently and see that the prisoners are kept steadily at their work He shall diligently observe the behaviour of the officers and prisoners, see that they strictly adhere to orders, and shall immediately report to the Warden any neglect or misconduct that may come to his knowledge

70 He shall see that all the officers are fully instructed in their particular duties.

71 He shall see that all prison keys are delivered up to him every evening at the "the evening counts" and that they are securely disposed of for the night, under such regulations as may be established by the Warden.

72 He shall deliver to the cook daily, a return of rations required the following day, and compare those of the preceding day with the total number of prisoners. He shall notify the Storekeeper of any changes in the guards mess and shall see that no extra clothing is issued to a prisoner without the authority of the Warden

73 He shall keep a minute book, in which shall be entered his daily routine of duty and special occurrences.

74 He shall see that the books and registers in the Warden's office are properly kept.

75 It shall be his duty to set an example of sobriety vigilance and energy to the officers under him The practice of frequenting public houses and groceries where spirits are sold and of drinking in them is so disreputable, and so calculated to lower the efficiency and respectability of the officers of the Central Prison, that the Chief Guard shall bring under the notice of the Warden, any officer who entertains this habit, as he cannot be permitted to remain upon the prison staff.

76 He shall also consider it a main part of his duty to exercise a sound moral influence over both the officers and prisoners placed under his supervision

77 He shall frequently visit the prisoners in their cells. He shall restrain, by his authority, every tendency to oppression or undue harshness on the part of officers and likewise every tendency to levity, rudeness and insubordination on the part of prisoners, and shall discourage by his own example, and by the maintenance of a high moral standard, every disposition to deceit and falsehood and impress upon the prisoners a sense of their responsibility, and the benefits arising from a conscientious discharge of their duties.

78 He shall retain in his possession all keys of the grated doors leading into the north side centre building, also the key of the grated door between the prison proper and the meat department, and shall attend and open the same whenever required for the admission of stores, meat, and discharge of refuse, &c. locking the same after reception or discharge thereof

79 The Chief Guard shall fill up every morning, in the book designated "Prison daily labour distribution book" the distribution of labour for the day specifying under the heads of their several employments the nature of the work they are employed upon, and submit the same for the inspection of the Warden

VII

DEPUTY CHIEF GUARD.

80 He shall reside in the prison He shall assist the Chief Guard in the general superintendence of the officers and prisoners &c., in the execution of his duties.

81 He shall be constantly patrolling and visiting the working parties reporting to the Chief Guard any infraction of discipline neglect or dereliction of duty that may come under his notice.

82 He shall whenever required take the place of any Shop Guard who may be absent

83 He shall see that all prisoners on arrival are thoroughly cleansed their beard removed, and their hair cut close and that they are supplied with a suit of prison uniform

84. He shall also personally supervise the bathing of prisoners at the stated periods.

85 He shall promptly report to the Chief Guard any indications of disease that he may discover, and shall see that the plain clothes taken from prisoners on their arrival are properly cleaned, repaired if necessary and then securely tied up in a bundle marked and put away in the "clothes store room" for safe keeping, to be restored to them when discharged

86 He shall personally superintend the change of dress by prisoners to be discharged this change is invariably to take place in the "Dressing Room" and the deputy shall see that every article of prison clothing is taken and delivered over to the Storekeeper

87. He shall lose no time in communicating to the Chief Guard for the information of the Warden every circumstance which may come to his knowledge affecting the safety and health of the prisoners, and the efficiency of the officers, or in any other way requiring the Warden's attention.

88. He shall pay particular attention to prisoners confined in the dark cells for punishment.

89 If under any circumstances, the Warden and Chief Guard are both absent, the charge of the prison shall devolve upon the Deputy Chief Guard

90 The rule of conduct to be observed and example to be set by the Chief Guard, apply also to the Deputy Chief Guard.

VIII

BAILIFF.

91 The Prison Bailiff shall be attached to the Central Prison for purposes of pay but shall be considered as an Officer of the Department of Inspection He will, however be amenable to all general rules for the guidance of officials of the prison while within its walls and when not otherwise employed shall do such duties as may be assigned to him by the Inspector of Prisons, in connection with the service of the Central Prison

92 He shall be responsible for the safe conveyance and transfer of all prisoners from Common Gaols to the Central Prison and shall make such reports, and prepare such transfer papers as may be necessary for the purposes of the prison

93. He shall account for the expenditure of all moneys entrusted to his charge, and shall sign a monthly statement of expenses incurred in the transfer of prisoners

94 He shall be responsible for the conveyance of all money and valuables found on the persons of prisoners, when committed to gaol until he can hand them over to the Warden of the Prison, and receive his receipt therefor

95. He shall perform such other duties as may be assigned to him by the Inspector of Prisons, under the provisions of Sec 1, Cap 24, 38th Victoria.

IX

ENGINEER.

96 The Engineer shall have general charge of all fittings and matters connected with the supply of water, gas steam, &c , and of the repair of locks, bolts, &c He shall also be responsible for the serviceable state of the fire hose and hydrants, engines, boilers, &c.

97 He shall keep accounts of all consumption of coal, wood, gas, &c., connected with his department, and use every exertion to promote economy in these particulars

98 He shall make such daily or other reports, and keep such records connected with his department as shall be required by the Inspector of Prisons. He shall attend to the steam boilers, engines, fires, &c. during his period of duty, and see that the machinery is kept clean and in good order.

99 He shall attend with the other guards every evening at the "evening count," accounting for the safety of the prisoners under his charge. He shall not leave the premises until the withdrawal of the Wall Guards, upon the evening count being found correct, and on his being relieved by the "Prison Yard Night Guard and Engineer."

100 He shall not absent himself from the Prison during his hours of duty without leave from the Warden.

X.

Cook and Baker

101 The Cook and Baker shall superintend the cooking and baking for the whole prison, including the prisoners' and guards' mess, and shall be held responsible for the proper cooking of the food, and for the cleanliness of the kitchen and bakery, the coppers and all utensils in use in his department.

102. He shall board and lodge upon the prison premises, and not absent himself therefrom without permission of the Warden.

103 He shall make requisitions upon the Storekeeper, which are to be signed by the Chief Guard, and countersigned by the Warden, and delivered by the Chief Guard to the Storekeeper, for the supply of rations for the use of the prisoners and the guards' mess. A certain hour each day shall be set apart by the Warden for the delivery and reception of stores to and from the storekeeper's department, for the kitchen and other parts of the Prison proper, after which the communication between these departments shall be closed, except for special requirements.

104. He shall every morning receive from the Chief Guard a list of the number of prisoners to be dieted, and shall keep such an account of the number of prisoners, and the quantity of food received into the kitchen, as may be required of him by the Warden.

105. He shall be exact in measuring or weighing the provisions to be served out to the prisoners and guards' mess at each meal, and it shall be his duty to see that due economy is observed in the management thereof, and that no waste takes place in his department, and to report to the Chief Guard, for the information of the Warden, any defects he may observe in the quality of the articles of food.

106 He is strictly forbidden to employ any prisoner in the kitchen unless authorized by the Warden. He shall be responsible for the good conduct and obedience to prison rules and discipline of all prisoners employed under his charge, and he shall immediately report to the Chief Guard any infringement of the prison rules and regulations, on the part of the prisoners detailed as his staff, such as unnecessary talking, wrangling or smoking, and it will be the duty of the Chief Guard and Deputy Chief Guard to visit the kitchen and adjoining apartments frequently during their tour of duty, to see that the rules are enforced.

107 The Cook shall conform to the rules and regulations of the prison, and such orders and regulations as shall be issued from time to time, in the same manner as any other guard, and account personally for the number of his squad to the Chief Guard at the evening count.

108. He, together with the prisoners comprising his staff, shall confine himself wholly to those departments which are placed under his supervision within the prison proper, viz., the kitchen and bakehouse.

109 All prison keys entrusted to his charge during the day shall be delivered up to the Chief Guard at the evening count.

110 The Chief Guard, or the Deputy, will always attend at any hour named by the Warden, for the purpose of opening the gates or doors to which the Cook or his staff shall have access.

111 The Cook shall lock up and keep out of the prisoners' reach food of any description, such as that which goes down to the kitchen from the Guards' mess, &c., which they

might otherwise be tempted to take, and he is on no account to give the prisoners any food beyond their proper allowance and quality

XI

Prison Yard Night Guard and Fireman

112. He shall mount duty at the evening "count," and shall patrol in and about such parts of the prison yard and buildings, and during such hours as the Warden may direct. He shall vigilantly watch the premises through the night. He shall note down in "The Night Patrol Report Book" for the Warden's information, the precise nature of any irregular or extraordinary occurrence during the night.

113. In case of fire or other emergency he will instantly communicate with the Night Corridor Guards, they in their turn arousing the guard room officers. He must attend to the engines, boilers and fires during the night time, keeping a record during the winter months of the register of heat as shown by the thermometers in the corridors. He shall observe due economy in the consumption of fuel and gas.

XII.

Hospital Guard.

114. He shall reside upon the premises, and not leave them without the permission of the Warden.

115. He shall attend the sick under the direction of the Prison Surgeon, and shall assist in preparing and dispensing the medicines ordered by the medical officer, and see that the medicines so ordered are taken by the patients at the proper time, and that the diet ordered by the surgeon is given and properly entered in a book.

116. He shall see the complaining sick every morning before the prisoners are sent to work, having them in readiness for the visit of the surgeon.

117. He shall on no account suffer his prison keys to be in the possession of any other person, or lay them carelessly about, or admit any stranger into the hospital without obtaining the Warden's authority.

118. He shall keep the hospital books properly filled up according to order. He shall be particular in calling the surgeon's attention to any case that may require instant attention.

119. All orders for the removal of prisoners from the cells to the hospital must be signed by the Surgeon, also those returning prisoners from the hospital, and these orders are to be registered in a book to be kept for that purpose, termed the "Hospital Guard Book."

120. He shall see that the prisoners in the hospital are clean in their persons, and wash themselves properly, and that every prisoner has clean sheets at least once a fortnight, and that their linen and stockings are changed every Sunday morning.

121. He must be particular as to the number of articles sent from the hospital to the wash, and take an inventory of the same, and that there are no deficiencies on their return.

122. He shall be particular in enforcing cleanliness in any part of the hospital. He shall keep such light burning during the night as the Warden or Surgeon may direct.

123. He shall keep a report book, in which he shall daily report to the Warden and Surgeon all occurrences of importance in the hospital, such as want of repairs, the misconduct of any prisoner, any irregularity in the supply or quality of provisions, &c.

124. He shall be responsible for the safe custody of all provisions or medical comforts provided for the hospital and of all medicines, bedding, necessaries &c., committed to his charge, keeping inventories of the same, and he shall render such account of them as may from time to time be required.

125. He shall not issue any drugs or other articles without written directions from the medical officer except in cases of emergency. He shall not upon any pretence bring wine or spirits into the hospital for his own use, or unauthorised books or papers.

126. He shall conform to all orders and regulations.

127 The Hospital Guard shall take charge of the library and issue the books for the prisoners' use, under such orders and regulations as may be issued by the Warden.

128 In the event of his time not being fully occupied in the discharge of the duties hereinbefore stated, he shall be liable to the performance of such duties as the Warden may order.

129 He shall attend the evening "count" with the other guards.

XIII.

SPECIAL RULES FOR GUARDS.

130 Guards will under no circumstance leave the prison without permission from the Warden or Chief Guard, but hold themselves in readiness for active service, night and day.

131 The first and most important duty of a guard is, at all times, to maintain the safe custody of the prisoners, and should prisoners attempt to escape, the laws of the Province justify the shooting of such, or of any persons who may be assisting in such attempt, if such action is found necessary in order to prevent the escape. Except in extreme cases, offenders should be distinctly warned of the consequence before shooting is resorted to.

132 Wall Guards are required to pace their beats while on duty, with rifle in hand, only stopping for rest MIDWAY ON THEIR BEAT, AND WITHOUT SITTING.

133 Guards while on duty are strictly prohibited from smoking, and from reading books, papers, letters or communications of any kind, and from conversing with any person, except as the nature of their duties may require.

134 Guards must keep their arms and accoutrements clean and in perfect order, constantly ready for use, and neither cut, mark, nor deface them in any manner. Wilful or careless loss, destruction, or damage to the arms will be charged to them, and they will be required to pay for the same.

135 Guards or employees must never leave their posts or duty assigned them until relieved by proper authority, and guards, when relieved, will report at the guard-room, and remain in readiness for duty at a moment's notice, until permanently dismissed.

136 The guards will require on the part of the prisoners such strict compliance with such rules of the Prison as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

137 The Chief Guard and Deputy Guard are held strictly accountable for the management of all ARMED GUARDS, their arms, accoutrements, and everything pertaining to their several duties. A willing and cheerful obedience to them is expected in whatever they may direct.

138. It shall be the duty of the Night Guard in the corridors, during the night, to keep patrolling round the block of cells, and upon the galleries, with worsted slippers on, 'noiselessly,' that he may be able to detect and suppress any unnecessary violation of the required silence; and it is strictly enjoined upon him not to suffer the prisoners to speak, except to make known to him their immediate wants.

139. Guards are to be at all times properly shaved and dressed, neat and clean in their persons, and properly equipped.

140 All duties are to be conducted in a quiet and determined manner, and boisterous tones in talking, whistling, or singing in the guard-room and other parts of the prison are strictly prohibited.

141 Discussions or disputes of any nature, as to politics or anything else, within the prison premises are strictly prohibited, and the Chief Guard and Deputy will report to the Warden any infringement of this order that may come under their recognition.

142 Guards are expected to be courteous and respectful towards each other, never using improper language, and always cultivating a proper and respectable deportment, and they are to abstain from the expression of any political or religious opinion calculated to give offence.

143 Guards will be respectful in their manners, and courteous in their language to all officials or strangers visiting the prison under the proper authority.

144. Lights are to be out in the guard room at 9.30 p.m., at which hour all officers and employees quartered in the prison are expected to be present, except any who may be specially permitted an extension of time for the evening.

145 Guards when off duty, will not be permitted to wear their uniform, but will wear plain clothes.

146 The uniform clothing is to be kept in good repair at the Guard's own expense, except when torn in the execution of duty. The uniform is not to be the property of the Guard at any time, but is merely for his official use whilst an officer of the Central Prison.

147 Guards are directed not to use as topics of conversation at any time and in any place, the incidents occurring in the performance of their several duties, in regard to the prison or prisoners, or their own or others' sphere of duty in the prison.

148 Visitors to the Central Prison must enter and depart through the south entrance of the centre building, and when passing through the prison must conduct themselves in a quiet and orderly manner. Loud talking, laughing, and personal allusions to prisoners by pointing or otherwise, are strictly prohibited.

149 Two guards shall every night (at 7, p.m., in winter, and 8, p.m., in summer), visit all the workshops, engine rooms, and cellars upon the premises where fire has been used during the day and search thoroughly for any sign or indication of fire, and shall report to the Warden and Chief Guard the slightest want of care that may there be discovered. These officers are not to handle, touch, or disturb any of the tools or machinery or other property of the contractors.

150 Guards are constantly to keep in mind that it is required of them to prevent any prisoner making his escape AT ALL HAZARDS.

151 All guards sent on escort duty shall wear their belts and pistols outside their tunics.

152 Guards taken ill shall immediately report themselves to the Chief Guard, who will send them to the Surgeon and ascertain the cause of their illness, and report such to the Warden.

153 On guards being taken ill off duty, and unable to report themselves as usual for duty, they shall despatch without delay a written report to that effect to the Chief Guard, the latter sending the report to the Medical Officer, who shall attend the Guard's residence and report his case to the Warden.

154. The Corridor Night Guards shall be armed.

155 It shall be the duty of each Corridor Night Guard, immediately on his coming on duty, to carefully examine the door of each cell and see that it is secure and not tampered with. The grated doors leading from the guard room and dining hall into the corridors, are to be closed and locked on the night guards mounting duty.

156 The night guards are ordered to search and patrol every gallery in their respective corridors continuously. The patrolling of a gallery means not simply walking along it, but moving along noiselessly, closely observing the cell doors on passing, stopping frequently and listening in the event of any noise such as *filing bars*, or other indications of attempts to escape betraying themselves. Upon inspection of the cell doors as a night guard coming on duty, he shall see that a prisoner is in the cell, *assuring himself that what he sees is a real living person.*

157 A book shall be kept on each corridor during the night-time, to be designated "The Night Patrol Report Book," in which the night guards shall register the incidents that occur during their period of night duty, the time they mount and the hour they are relieved, the hours that they are visited, and the degree of heat every two hours as registered by the thermometer. These books to be laid in the Warden's office for his inspection every morning by the Chief Guard.

158 The "tell tale" clock is to be checked by the night guard every hour, and every time the clock is checked, the guards shall proceed to the dining-hall grated gates, which face each other, and wait until they see each other, and signal "all right" or otherwise. In the event of a guard not appearing and signalling within *ten minutes* of the proper time, the guard waiting shall instantly repair to the guard room, arouse the officer and procure the keys. Should the guard *not answering* in time be unable to account for his absence satisfactorily, it shall constitute a breach of prison discipline, and shall be treated accordingly; and if a guard is disabled by an escaped prisoner, the escape will, by the observance of this rule, be soon discovered.

159 All property in the possession of prisoners on their arrival at the Central Prison, shall be registered in a book kept for that purpose at the time their description is registered, commencing with the prisoner's No. and name, then description of property, and lastly the

condition of their clothes, specifying whether in good condition or the contrary; this is to be signed by the prisoner and witnessed by the Registering Prison Officer. Prisoners are on no account to be placed in cells without being examined and properly registered; their boots shall be invariably removed.

160. The wall guards are not to leave their posts from the hour of counting, until the evening signal is sounded for their relief; their mid-day meals will be served to them in the towers, and extra vigilance is required of the wall guards during the prisoners' dinner hour. The wall guards are required to be vigilant and on the alert, and they are never to keep inside the towers unless forced in by stress of weather, when they must keep a sharp look out through the windows of the towers. The wall guards are to be reminded that they hold the key to the safety of the officers and security of the prisoners; it is therefore essential that their attention should be concentrated upon the action of prisoners within their view, and especially those near the base of the walls.

161. The Guards and employees of the prison shall be particular in keeping their watches by the time of the guard room clock, as the small entrance door shall be closed and locked at 10 *p.m., according to prison time*, and not opened for the admission of any official after that hour.

162. No person will be admitted into the prison after 6 p.m., and after 4, p.m. on Saturday, and no person shall have admittance on Sundays, Clergymen excepted, unless accompanied by the Inspector of Prisons, who shall have access at all times.

163. No person shall be admitted without a pass, previously countersigned by the Chief Guard or Deputy Chief Guard.

164. The north entrance gates, centre building, are to be only used for admission of stores for prison use.

165. In the event of an officer being suspended or dismissed, he shall not be permitted to enter the prison premises.

XIV

RULES FOR SHOP GUARDS

166. Shop Guards shall under no circumstances leave the prison without permission, but must hold themselves in readiness for active service both day and night.

167. Shop Guards are required to be promptly at the Cell House at the appointed hour in the morning, to receive their respective gangs, and from that time until the prisoners are again locked in their cells they will be held strictly responsible for the conduct and safe custody of their entire gang.

168. The duties of the Guards should be understood as separate and distinct from those of Foremen for Contractors, and the Guards will not interfere with or attempt to instruct the prisoners in the manner in which they shall work or on what particular part they shall labour, or on what amount of work they shall perform; but they shall listen to all reports the foreman may desire to make, and dispose of the cases as they may have been instructed.

169. It is desirable that the Guards should understand that their success in controlling prisoners depends very much on their own deportment, and a sharp and close observation of all that occurs around them.

170. Shop Guards will require on the part of the prisoners a strict compliance with such rules of the Institution as may come within the province of their special duties to enforce, and report at the earliest practicable moment any infraction thereof.

171. All Guards while on duty are strictly prohibited from smoking and from reading books, papers, letters or communications of any kind, and from conversing with any person, except as the nature of their duties may require.

172. Shop Guards in charge of sections at work, shall not allow their prisoners to make any enquiries relative to any subjects not immediately connected with their duty, employment or wants, or to speak or hold any conversation with each other or to leave their work without permission, or to speak to or gaze at visitors, but shall see that they are continually employed, and that they labour diligently in order and in silence.

XV.

Prison Gate Guard.

173. The Gate Guard shall allow no team or person unaccompanied by the Inspector of Prisons, the Warden or Chief Guard, to pass in or out of the prison yard except such persons whose names shall be placed from time to time upon a list signed by the Warden and in possession of the Prison Gate Guard and persons being at such times engaged in the performance of their duties as officers or employees in connection with the prison works except any person be in possession of a pass in writing signed by the Inspector of Prisons the Warden or Chief Guard, and he will take up all passes as the holder leaves the yard, and return them daily to the Warden's office. He will examine all teams passing in and out and see that nothing is concealed.

174. He shall have charge of the keys of the gate and shall unlock it in the morning for the admission of the officers and employees, and such persons who are authorized to enter, and lock them for the night at such hour as the Warden shall from time to time direct. He shall not leave his post from the time he mounts duty to the hour of relief.

175. The Gate Guard shall not allow any officer or employee attached to the prison to pass through the gate during the hours of duty, without the authority of the Warden.

176. The Guard shall keep a list of all employees residing in the prison who shall go out on leave, in order to know if they enter at the proper time.

177. In case of doubt as to an order for admission into the prison being genuine or properly obtained, the Gate Guard shall apply to the Warden or Chief Guard, before allowing admission. He shall be watchful to prevent escape, and he shall be watchful to observe closely the appearance of workmen, carters &c., passing out through the gate, in order that he may detect any attempt on the part of a prisoner to escape in disguise.

178. The Gate Guard shall only admit to the prison yard, vehicles which have loads for the use of the Works or Prison, cabs, carriages, &c., must remain outside.

179. The Gate Guard shall be armed, and his hours of duty shall be the same as those of the Wall Guards.

XVI.

General Rules for the Government of Guards and other Employees.

180. All persons entering upon or retaining any position as an employee of this prison, must do so with the full understanding that they are to lend a prompt, willing and positive obedience to the rules of the prison and the instructions of its officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned, and all who cannot do so cheerfully, must neither accept nor expect to retain any position here.

181. Any employee desiring to leave the service of the prison will be required to give thirty days notice of his intention to do so otherwise all pay due will be forfeited.

182. All employees who are subordinate to the Chief Guard will be required to report to him, and he shall keep their time and send in the time book to the Accountant.

183. No employee will be allowed to absent himself from duty under any circumstance, without permission from the Warden or Chief Guard.

184. Employees are strictly prohibited from taking newspapers, books, or other reading matter inside the walls or cell houses, AND ARE ABSOLUTELY PROHIBITED FROM LEAVING ANY CITIZEN CLOTHING INSIDE OF THE YARD OR CELL-HOUSES.

185. Employees are strictly prohibited from talking with prisoners at any time, except as the nature of their business may require and all familiarity between employees and prisoners is absolutely prohibited.

186. Employees are prohibited from selling to, or buying anything from a prisoner, or giving to or receiving from them anything in the nature of a gift or present, or conveying to or from them any message, either written or verbal. Any ministers or other religious instructors, or Sunday School teachers, permitted to attend the prison, shall not receive from or confer any present upon the prisoners, or become the medium of communication between them and their friends or others, and they shall conform to the rules and regulations adopted

for the government of the prison; any infringement or departure from which rule shall debar them from future intercourse with the prisoners.

187. Employees will be required to pay for the wilful or careless destruction, loss, waste, or damage by them, of any property of the prison.

188. Employees are prohibited from using profane, indecent, abusive or insulting language towards prisoners, and it is especially desirable that they should refrain at all times from the use of such language in or about the prison.

189. All employees are prohibited from discussing within the limits of the prison, the manner in which any officer or employee performs his duty, and from making any remarks which might tend to reflect upon the character or management of such officer or employee. They are also prohibited from discussing in the presence of prisoners, matters relating to the discipline or management of this or other similar Institutions.

190. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the prison. Intoxication will insure dismissal and will never be overlooked.

191. Employees will refrain from visiting the shops or yard while off duty, and from receiving visits from friends while on duty.

192. Employees are prohibited from replying in like terms to what they may conceive to be impudent or insulting language on the part of a prisoner. Their duty is to report such infraction of discipline.

193. Employees are prohibited from passing in and out of the gates except when official duties render it necessary for them to do so.

194. Employees are strictly prohibited at all times from smoking inside the walls or cell houses.

195. No officer or employee shall directly or indirectly have any interest in any contract or agreement with reference to any supplies to the prison, nor shall he receive directly or indirectly under any pretence whatsoever any fee or gratuity or present from any contractor, or person tendering for supplies, nor from any prisoner or prisoner's friend, nor from any person visiting the prison.

196. All wrangling and disputes upon points of duty between the officers of the prison are strictly prohibited; questions of this kind must be referred to the Warden, and all complaints rendered in writing to him; such complaint must be tendered within twelve hours of the occurrence complained of, or it will not be received, and if it should be found that the complaints are frivolous or vexatious, or arise from a spirit of malice or revenge, the complainant will render himself liable to dismissal. Officers and employees having any grievance connected with their duties must state the same in writing for the Warden's consideration.

197. Every officer or employee who shall knowingly bring in or carry out, or endeavor to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any prisoner, any money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever, shall be at once dismissed and criminally prosecuted.

198. Any officer or employee who has been found guilty of an act of negligence, carelessness or insubordination, will be reported to the Inspector of Prisons, who has authority to impose a money fine, proportionate to the gravity of the offense, upon such officer or employee.

199. Any employee of the prison obtaining leave of absence shall leave the prison premises at the announcement of his leave, and not return until the expiration of his leave; should he return before, he shall be considered on duty from the time he returns.

200. All prisoners on their arrival at the Central Prison shall be handed over to the Receiving Officer detailed for that duty, and be by him marched to the "Drying Room." They will then be stripped and washed, during which process all bodily marks are to be recorded, the whole of the clothing worn by them removed, and a prison suit furnished them, and care is to be taken that no opportunity is afforded to the prisoner to convey any article into his cell. Trinkets or money taken from the prisoner are to be handed over to the Chief Guard, who shall register the same in the "Prisoner's Property Book," the record to be read over to the prisoner, who shall sign to the same and his signature is to be witnessed to by the Receiving Officer; a register of his clothing shall also be entered specifying whether it is in good condition or otherwise. After washing the prisoner shall be examined by the Prison Surgeon. Any prisoner being found medically unfit for the prison labour is to be immediately re-

ported, in writing, by the Prison Surgeon to the Warden, in order that the information may be forwarded by him to the Inspector of Prisons. The prisoner's hair is to be cut short and his face shaved. Previous to his being marched to his cell the prisoner's description is to be taken and registered in the "Entrance Examination Book." All property taken from any prisoner shall be made up in parcels and docketed with the name of the prisoner to whom the property belongs. After prisoners are received at the prison, the rules relating to the conduct of prisoners, their treatment and that which affects the prisoner as to his present and future conduct, shall be read over to him by the Chief Guard.

201. The Guard Room is for the exclusive use of the discipline officers of the prison. It consists of an associated dormitory for the Guards, the Chief Guard's Room, the Deputy Chief Guard's and the Guard's Mess Room. Silence and decorum shall be preserved in the Guard Room. Conversing in a loud tone of voice is strictly forbidden.

XVII

Routine of Duty

202. All Guards will parade and report themselves daily for duty to the Chief Guard at a quarter to six o'clock in the morning.

203. At a signal from the Chief Guard, the Shop Guards will take their keys and proceed to their respective galleries and unlock the cells; the other Guards taking up such positions in the corridors as the Chief Guard may direct, where by their presence and watchfulness, they shall endeavour to prevent any communication between the prisoners, and other improper conduct on their part.

204. At the next signal the prisoners shall all step out of their cells, and move off in file down stairs to the ground floor, where they will form up in columns of galleries. On their return to their cells, each prisoner will take up his breakfast ration and proceed to his cell and stand with his left hand on the gate till the first gong is sounded; he will then step inside, closing the door up *to the lock*, but not fastening it; on the second gong signal all doors shall be pulled *home*, and the crank immediately put on, the Balcony Guards remaining at their posts until this is done. The guards will then form in line, and report to the Chief Guard that their respective galleries are correct or otherwise.

205. If the number is correct, upon a signal from the Chief Guard the guards will break off and go to their breakfast, with the exception of one, who will remain to patrol the corridors.

206. At 6.45, a.m., each working day, the guards will again assemble, and on a signal from the Chief Guard will unlock their cells as before, form their prisoners in line and march them with their night buckets to the "bucket stand," returning to the parade ground opposite the dining hall door, where they will form up in column of galleries, ready to be formed into working parties, under the personal supervision of the Chief Guard.

207. Prisoners shall continue at their work until the whistle sounds at 12 o'clock, noon, when the gangs will be formed in close file outside and well clear of their shops, in the order in which they are arranged in their cells, and be marched into the dining hall, each guard giving his "count" in writing to the Chief Guard as they are searched in. The prisoners will remain standing until the gong sounds, when they will take their seats and proceed with their dinner. Half the guards will then proceed to dinner, for which twenty minutes shall be allowed, after which they shall relieve the other half. At ten minutes to 1 o'clock the prisoners will be moved out to their respective shops, each gang rising on a signal from its guard, who will hold up his right hand, and then march off his squad without word of command.

208. At the 6 o'clock whistle to "cease work," the gangs will again form up in close file as at midday, and be marched to the bucket stand, when each prisoner will take up his night bucket, and carry it on his left arm, using his right hand to take up his evening meal, and proceed to his cell, place the bucket and supper inside and stand facing his cell as in the morning; the first and second sound of the gong being always the signal for his entering and closing the cell door. He will then stand inside his cell with his right hand grasping the grated gate while the gates are being doubly locked and the "counts"

are being made. The guards in double locking shall see that each prisoner "stands to his front," with the right hand grasping the grated door of his cell

209 The wall and gate guards will remain at their posts till the second signal whistle is sounded; until this sounds, the security of all the prisoners is in abeyance and should the second whistle be delayed the wall guards will at once understand that there is a prisoner missing and be on the alert accordingly.

210 Upon 'Counts' being taken previous to marching in the gangs are to fall in outside, and well clear of their workshops, and the 'Count' is to be taken from front to rear In marching off, the guard's place is in a line with the rear file, and whilst marching the prisoners faces are to be turned, and heads inclined towards the flank that the guard is on.

XVIII.

Rules for Contractors' Foremen

211 The chief duty of the Contractors Foremen is to instruct and direct prisoners in that particular branch of the business to which they are assigned and to do so in a mild, but firm and dignified manner

212 Foremen are not required for the purpose of governing or disciplining prisoners; therefore it is not necessary that they should use force or threatening language in the discharge of their duties, and the use of such is strictly prohibited, except, of course, in case of self-defence, in defence of others, or to preserve the peace of the prison and maintain the safe custody of the prisoners.

213 When prisoners wilfully fail to carry out the instructions of a foreman or use threatening, defiant or impudent language, or commit any other act endangering the peace and good discipline of the Institution, it shall be the duty of the foreman to immediately report the same to the guard in charge.

214 All foremen must be promptly at their respective shops at least ten minutes before the hour fixed for prisoners to commence work, and will be required to remain there during working hours, and make a thorough examination of their premises personally (after the prisoners have left), at noon and night.

215 All officers, foremen instructors, or other employees of the Contractors who may, under the regulations, be permitted to enter the Prison workshops or yard, must strictly conform to all rules and regulations laid down for the guidance of Guards or employees of the prison, and any infraction of such rules and regulations by the employees of Contractors will be promptly dealt with.

216 A copy of these rules is furnished each employee, and they are to be enforced on all occasions.

XIX.

Rules for Prisoners

217 The following rules shall be observed by prisoners :—

(1.) The first duty of the prisoner is strict obedience and it will be to his interest to obey all rules and regulations.

(2.) On entering the Prison strict silence must be observed. No conversation between prisoners is allowed, except by permission of the officer under whose charge they may be

(3.) The prisoner must not speak to any visitor give to or receive from them anything, without the permission of the Warden or Chief Guard

(4.) Prisoners must not leave the ranks or their place of employment without permission If sick, or unable to work they must make it known to the officer in charge, and act as he may direct.

(5.) Prisoners must approach an officer in a respectful manner—always touching his cap or forehead before speaking He must be prompt in taking his place in line, march lock step with his right hand upon the shoulder of the man in advance, incline his face toward the officer, and attend to and promptly obey his orders. Prisoners passing through the yard must walk in file, never abreast.

(6.) On reaching the cells, prisoners will stand at cell with their left hand on the door. At a given signal will step in, close the door up to the lock, keeping hold until the second signal is given, when they will close it altogether, remaining with their hand upon the door until the bar is closed and the count is made. In case of miscount, he will resume his position at the door until the count is correct.

(7.) He must keep his cell and furniture clean and in good order. No marking or scratching the walls, nor spitting upon the floor, will be allowed. At the sounding of the 9 o'clock gong, P.M., all prisoners must put out their lights, undress and retire.

(8.) At the sounding of the morning gong, he must turn out, dress, make up his bed neatly, and be ready for marching out. At the signal, he must open the door, step out, and stand erect until ordered to march.

(9.) No prisoners will be allowed to stare idly at visitors or strangers passing through the Prison, neither will they be allowed to make any alteration in their clothing or the furniture of their cells.

(10.) All prisoners are required to attend religious services on Sunday, unless sick or excused by the Warden or Chief Guard. In Chapel silence must be observed. No reading will be allowed, and strict attention must be given to the service. Spitting upon the floor, shuffling of the feet, or any unnecessary noise is strictly forbidden.

(11.) Insolence in any form will not be tolerated. No smoking by prisoners is allowed on the prison premises.

(12.) Prisoners will be required to bathe once a week in summer and once in two weeks in winter, unless excused by the Physician, Warden, or Chief Guard.

(13.) Every prisoner shall have permission to write to his friends once in four weeks. In case of necessity for special letters, permission must be obtained from the Warden or Chief Guard. All letters written or received must first be examined at the office, under the direction of the Warden, before being sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or to receive letters and visits from friends, or books from the library, is dependant upon general good conduct, and obedience to rules.

(14.) The use of books and all reading matter may be suspended by the Warden for violation of rules.

(15.) Prisoners must apply by letter to their friends or relatives, for money to take them home, a month prior to the expiration of their sentence.

(16.) Prisoners shall be required to labour diligently during those hours detailed for work, and in marching to and from their cells they shall observe such order as may be directed by the Warden; they shall be required to communicate with their Guards in a respectful manner, and with the greatest brevity; they must conduct themselves with perfect order, and in strict obedience to the direction of their officer.

(17.) Each prisoner shall have a Bible in his cell, a hymn book, and may take such tracts and books as shall be approved of, and furnished to him.

(18.) Punishment will be resorted to as rarely as necessity will admit; the regulations of the prison are, nevertheless to be observed and maintained inviolate, and all infraction thereof, or any resistance to the lawful commands and authority of the Guards, shall subject the offenders to solitary confinement and to be placed in irons at the discretion of the Warden, and the Warden is authorized to employ and permit the use of weapons by the Prison Guards, to put down insurrection by force, and to prevent escape at all hazards from the prison.

(19.) No visitor will be permitted inside the prison unless accompanied by a Prison Guard.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, 11th June, 1875

SIR,—I have the honour to report for the information of His Honour the Lieutenant-Governor, that a prisoner named Richard Clancy, escaped from the Central Prison, Toronto, on the 14th May, at 11.45, a.m., by placing a plank against the rear wall of the yard, by which means he effected his escape. I have examined into the circumstances with this escape, and find that if the instructions that I gave, that at all times when prisoners were in the yards the wall guards must be on duty, had been strictly adhered to, the attempt to escape would in all probability never have been made. The escape, therefore, in my opinion, was attributable to the fact, that the wall guards were allowed to go to dinner before the prisoners were "counted in" to dinner. The Warden has forwarded me a copy of an order, issued immediately after the escape took place, which if attended to, should prevent escapes in the same manner.

On the first instant, two prisoners escaped by entering the tunnel drain running through the front grounds of the prison, where a gang of prisoners were employed in improving and ornamenting the grounds. The gang was under the supervision of five guards at the time.

I consider that the guards were guilty of neglect in allowing the escape to be successful, and the Warden should not have allowed prisoners who were sentenced to long periods, to have been taken into the front grounds. The names of the prisoners who thus effected their escape, were Robert Purcell, and Robert McCulloch; the former having an unexpired period of about four months to run, and the latter having a period of about one year and a quarter to run.

I have instructed the Warden not to take prisoners to work outside the prison walls, who have more than three months of their sentence to fill, and only then, under the most rigid supervision.

I have the honour to be, Sir,
Your obedient servant,
J. W. LANGMUIR,
Inspector.

To the Honourable,
The Provincial Secretary.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO.
TORONTO, 17th June, 1875.

SIR,—Referring to your letter of the 11th inst., with reference to certain escapes of prisoners from the Central Prison, I am to direct you to institute an inquiry into all the particulars so as to ascertain to whose neglect any of such escapes is to be attributed. Your inquiry will be specific, in order that such guards or other officials to whom neglect is attributable, may fully understand the reason for whatever subsequent action the circumstances may call for.

I have the honour to be, Sir,
Your obedient servant,
L. R. ECKART,
Assistant Secretary.

Mr. Inspector Langmuir,
Toronto.

OFFICE OF THE INSPECTOR OF ASYLUMS, PRISONS, &C., ONTARIO.
TORONTO, 30th June, 1875.

SIR,—In obedience with instructions contained in the communication of the Provincial Secretary, of the 17th inst., I visited the Central Prison, yesterday, for the purpose of making a more specific inquiry, than that already instituted and reported upon, into the escape of two prisoners from the Central Prison grounds, on the 31st ult., that the officers who were guilty of neglect or carelessness may be dealt with as the Government may direct. I examined, at the same time, into the circumstances connected with the escape of three prisoners named Deacon, Wyhe, and Cunningham, from the field attached to the prison for garden purposes, on the 21st inst. making five prisoners which have escaped from the prison grounds within three weeks, only one of whom up to the present time has been recaptured.

The circumstances and facts connected with the escapes from the front grounds on the 31st ult., are as follows —About forty prisoners were selected to work on the front grounds in draining levelling, and ornamenting. Those prisoners were divided into three gangs under three regular and two supernumerary guards, as follows —Guard William Gifford, had charge of 10 prisoners, Guard William Johns, assisted by supernumerary Guard Wall, had charge of 14 prisoners and Guard Frederick Hill, assisted by supernumerary Guard Henry Langman had charge of 20 prisoners. The prisoners were selected by Chief Guard Beaumont, and the gangs *and the guards* were being *generally* supervised by Deputy Chief Guard Stedman. The duties of these guards appeared to be sufficiently well defined by the Warden and understood by the guards, viz., that each guard was to be responsible for the safe custody of the squad under him, and in the event of any emergency all were conjointly to act for the safe keeping of all the prisoners. It appeared, however, that Deputy Stedman had other duties to perform besides supervising the work referred to, and sometimes was called away to attend to them.

The tunnel drain through which the prisoners escaped is of sufficient diameter to admit a man Commencing at the Grand Trunk Railway it runs into the prison grounds about 200 yards, with an opening at each end.

The danger of this drain as a means of escape, was fully known to the Warden and the guards and the work of putting in a covered box drain, from the opening in the grounds to the point where it intersected with another drain, was about to commence The prisoners comprising the gangs were all counted at one o'clock, p m on coming out from dinner and found correct. The gang in charge of Guard Gifford was placed at work north of the drain opening that in charge of Johns, north-east, and that in charge of Hill, south of the drain opening, and in full view of it. At two o'clock, the man in charge of the semaphore on the Grand Trunk Railway gave the alarm that two prisoners had escaped through the drain, but though pursuit was made by some of the guards the escaped prisoners were never seen by them What time between one and two o'clock the escaped prisoners entered the drain is unknown The conclusions I have arrived at after a careful examination into all the circumstances, are —

1st That the Warden erred in judgment—

1 In sending too great a number of prisoners out into the grounds to work.

2. In not personally examining the rolls to see that no long-date prisoners were allowed to get into the out-door gangs, instead of leaving such important work to the Chief Guard

3 That he did not arrange to have the Chief or Deputy Chief Guard constantly present with such a large number of prisoners and guards.

2nd To neglect, on the part of the Warden in not having the mouth of the drain staked, or partially stopped up when his attention was called to the danger connected with it.

3rd. To disobedience of orders on the part of supernumerary Guard Langman who left only for a short time between one and two without reporting or obtaining leave This guard has since been dismissed for drunkenness

4th To neglect of duty on the part of Guard Frederick Hill in not keeping a proper watch over the prisoners committed to his care, in not frequently counting them to assure himself of their presence in the gang particularly as he was aware that the drain might be used as a means of escape and in not noticing that the wheelbarrows which the escaped prisoners had been working with were lying idle.

I have to state that for this neglect on the part of Guard Hill, I have caused him to be suspended from duty pending your decision upon the matter now reported upon.

Respecting the escape of the three prisoners from the field attached to the prison, on the 21st instant, I have to report as follows —The prisoners, Wyhe, Deacon, and Cunningham, were part of a gang of nine prisoners, under the charge of Guard Mansell, who has made the following statement :—

"I am the guard in charge of the garden gang, Central Prison; the gang consisted of nine men. About 5.20 p.m., on the 21st June, the three prisoners, Deacon, Cunningham, and Wylie, were at the further end of the nine acre field, engaged in planting potatoes, and I told them I should require them in about five minutes, to go on with the rest, in watering newly planted cabbages. I collected the rest of the gang, and sent them down to go on with watering the cabbage patch; was *nearly three hundred yards away from the three prisoners planting potatoes.* I followed the prisoners to the cabbages and was engaged from five to ten minutes telling them in what way to water them. I then proceeded to bring in the other three at the potatoe patch, when I observed they were not in the field. I immediately gave the alarm, and after getting the remainder of my gang into the prison started in pursuit. Prisoner Deacon had been working under me in the field for two months; prisoner Cunningham has been with me since last summer, and out with me when I was in charge of prisoners working outside; prisoner Wylie had been in the garden for a month. The working of a piece of ground of the dimensions of the prison field necessitates the scattering of prisoners, the different kinds of vegetation requiring each daily labour in their culture.

"WM. MANSELL,
"*Guard.*"

I am of the opinion that these three escapes were attributable,

1st. To a serious error in judgment on the part of the Warden in allowing nine prisoners to be taken out into the field to work in charge of only one guard, although armed with a pistol; for it is obvious that if eight of the nine prisoners had run away, it would have been the guard's duty to remain in charge of the only remaining one until he was relieved, or had brought him back to prison. There should have been at least two guards, one of whom should have been armed with a rifle.

2nd. To the placing of too much confidence in the prisoners he had charge of, by guard Mansell, as shown by his own statement, through which mistake he lost control over at least three of the prisoners committed to his care.

For this mistake on the part of Guard Mansell I have caused him to be suspended from duty until I am further instructed. I have also instructed the Warden of the prison not to take any more prisoners out to work in the grounds beyond the prison walls, except in the garden, and then only prisoners selected personally by himself, and under the charge of not less than two guards, one of whom shall be armed with a loaded rifle.

I have the honour to be,
Sir,
Your obedient Servant,
J. W. LANGMUIR,
Inspector.

The Hon. the Provincial Secretary,
Toronto.

PROVINCIAL SECRETARY'S OFFICE, ONTARIO,
Toronto, 7th July, 1875.

SIR,—With further reference to the correspondence respecting the escape of two prisoners on the 31st of May last from the Central Prison, I am now directed to say that, the matter having been referred to the Hon. the Treasurer, the conclusions set forth in your Report of the 20th June, have been approved of by him. I am further to intimate that the neglect on the part of the guard, Frederick Hill, should be visited with a reduction of a week's pay, to serve as a sanction against his being again found guilty of a similar neglect With respect to the escape of three prisoners on the 31st June last, the Treasurer coincides in the conclusion of your Report. The guard, Mansell, appears to have been sufficiently punished by his suspension from duty, which he may now be ordered to resume; his pay for the period of his suspension having been forfeited. You will be good enough to intimate officially the purport of the above to the Warden.

I have the honour to be,
Sir,
Your obedient servant,
I. R. Eckart,
Assistant Secretary.

J. W. Langmuir,
Inspector, &c.,
Toronto.

EXTRACTS

From the Report of the Inspector of Prisons for the year 1876, in relation to the foregoing matters

'When it is considered that a very large proportion of these prisoners are habitual offenders of the petty order who have for many years been oscillating between one Gaol and another in the Province and not a few of whom have been committed to the Central Prison two or three times already I cannot but think that the periods of sentence, as indicated in the above summary, are much too short for the accomplishment of the objects aimed at in the establishment of this Prison. There is a class of offenders the frequency of whose offences against law and order renders them pests to society, and whom after their third commitment to a Gaol, it would be much better to send to the Central Prison for the full term that the law allows, than for two or three short periods every two years or less. The civil condition of this class of prisoners—three-fourths of whom are unmarried—point to the fact that protracted incarceration would involve little or no hardship to families dependent upon them for a living On the contrary but for the humiliation thereby caused to relatives, their enforced absence from the family relation would, in most instances be a relief not only to their friends but to the community

'The fact that 441 of the 657 prisoners who were committed during the past year, were, from their own admissions, of intemperate habits affords additional evidence of the correctness of this conclusion

'The mistaken leniency of awarding short periods of imprisonment to this class is not only demonstrated by the very serious charge that their repeated trials cost the Province, but also by the persistency with which they return to their evil courses. No sooner is the dilapidated physical condition of these habitual offenders rehabilitated by the healthy regimen of a prison and the enforced suspension of dissolute habits than they are set free only to return in a short time for a repetition of the same kind of treatment. Apart from the mistaken leniency of short sentences in such cases, both from a moral and social standpoint, it is not fair to the Province which, at a great cost has established an industrial Prison, that just as soon as this class of prisoners are restored to such a bodily condition as to perform hard labour in the prison, their sentences expire and they are discharged. For this class of offenders, constituting about one-third of the commitments to the Central Prison it is most desirable that cumulative sentences be given until they reach the period of two years.

'Although this Prison was largely designed for the class of prisoners I have been speaking of, still, an examination of the table of offences will show that if this intermediate establishment had not been in existence the crimes of many of the prisoners who were committed to it were of sufficient enormity to have consigned them to the Penitentiary It would appear that 23 were convicted of burglary, robbery and kindred offences 14 of assault with intent to rape 34 of aggravated assault, 12 of cattle stealing 11 of forgery embezzlement, &c., while no less than 258 were convicted of larceny in its various degrees Many of these prisoners were hardened criminals who had expiated sentences for previous crimes in the Penitentiaries of Canada and the United States These two classes of prisoners—the petty but chronic offender against law and order and the old *habitué* of many penitentiaries, are, of all others, the most difficult to deal with. In this connection I may now refer to the system of

DISCIPLINE

that prevails in the Central Prison. In recommending the establishment of the Prison, I pointed out in my Annual Reports of that period the many serious defects and deficiencies of our Common Gaol system chief among which was the indiscriminate association of old and young, tried and untried innocent and guilty Not only were these classes of prisoners indiscriminately associated but they were so kept in utter idleness, which above all conditions is the most fruitful source of vice and crime and in addition discipline and order were the rare exception instead of being the rule in the government of these Gaols It was to remedy these defects, and to supply the deficiencies in our Gaol system, that the Central Prison was founded. And in the administration of its affairs, keeping in view this object, I have no hesitation in saying that it is better to err on the side of rigid discipline than to a laxity of it, and with respect to the two classes of prisoners referred to that have to be dealt with it will be apparent to all, that as far as these criminals are concerned, the strictest kind of discipline becomes necessary.

"Admitting, as I do, that for the proper protection of society, the punishment of crime and the reformation of the criminal must be the ground work of all effective systems of prison discipline, the very first step in the accomplishment of these objects is the entire subordination of the will of every prisoner to constituted authority. The lives of habitual offenders having been one continued revolt against law and order, with little or no subjugation of the will or exercise of moral restraint, the very first lesson that these men have to learn on entering the Prison is implicit submission. Failing that, the application of reformatory measures to those of this class who are not beyond such influences must prove abortive—whilst deprivation of liberty only, to those who are, is no punishment whatever, unless it be accompanied by strict prison discipline and enforced hard labour.

"The labour that has to be performed by the prisoners in the Central Prison is no harder than what honest mechanics or labourers outside of the Prison have to do, and the hours are the same as in ordinary shops and in labouring employments, the dietary being infinitely better than what a large majority of mechanics and labourers can supply themselves with by their honest exertions. Cleanliness, both in the persons of the prisoners and in every department of the Prison, together with the greatest promptness, punctuality and order in the performance of duty are strictly enforced.

"The rules and regulations in respect to these matters, and for regulating the general conduct of the prisoners, constitute the discipline of the Prison, and its enforcement neither involves harshness nor severity, unless a prisoner renders that treatment necessary through disobedience or insubordination. The discipline of the Prison, however, must be maintained, and the rules and regulations obeyed, otherwise

DISCIPLINARY PUNISHMENT

must be resorted to. This consists, firstly, of deprivation of a meal or certain privileges, secondly, confinement in the dark cell on bread and water diet, and thirdly, confinement in the dark cell in irons. The latter punishment is administered by causing the refractory prisoner to be handcuffed to a ring in the wall about even with his eyes, the anklets being used to secure the legs to another ring in the floor. Physical pain is, of course, caused by the elevation of the hands and arms and the general fixity of the body, which, however, does not prevent the prisoner from shifting his position and resting the head and shoulders against the wall. When it was found necessary to administer this kind of punishment for the first time, the prisoner is given to understand that its duration, after an hour or two, will depend upon himself. If he expresses contrition for the offence committed, he is at once taken out of irons. If a prisoner, however, has to be punished in this way more than once, he has to remain in irons for a fixed time, but if for a longer period than 24 hours he is taken down in the night and to his meals. This placing of a prisoner in irons is not resorted to except in cases of gross insubordination, or of continued disobedience of the rules.

"And here I may refer to certain charges, or rather insinuations, that were made, and which subsequently were formulated into charges against the Warden and the acting Chief Guard of the Prison, involving cruel treatment of the prisoners on the part of these officers. Although the examination into these charges of alleged cruelty took place after the close of the official year, it is but proper that the matter should be alluded to in this report.

"It would seem that every instance of what was looked upon as cruelty was carefully noted by persons who had been dismissed from the prison service, and by certain others who were disaffected towards the rule of one or both of the officers alluded to. The acts of alleged cruelty extended from the opening of the Prison in June, 1874, up to the time of the investigation, but not in a single instance were they made known to me as Inspector, either verbally or in writing, or as the evidence shows, to the Warden. Whatever spirit may have animated the persons from whom the information was obtained, and however disingenuous its sources, it will, under the circumstances, be readily understood that due prominence would be given to every case of the kind that might come under the notice of the witnesses.

"The instances of alleged cruelty, as stated by all the witnesses in their evidence, numbered twenty three and a careful analysis of each case shows that they may be here divided into seven distinct categories, to each of which I will refer as briefly as possible

"1st. In six instances, prisoners while at drill or in marching order, and in three cases while at work, were tapped on the feet, legs hands, or some other part of the body with a cane used by the Acting Chief Guard, in order to get them to keep step or for other slight causes. The evidence however, pointed to the fact that this tapping—for it was nothing more—was very frequent for the first year after the opening of the Prison, and that it was not confined to the Acting Chief Guard, but was done more or less by nearly all the Guards. The practice having been noticed by the Warden, an order was issued, prohibiting it, which, from the evidence, it would seem had the desired effect.

"2nd. In six cases, prisoners attempted to escape from the Prison by secreting themselves until the Guards should be withdrawn which rendered it necessary to keep the Guards on duty and without sleep for sixty hours. When these prisoners were discovered, the Warden ordered that five of them should receive six stripes with a small cane and the sixth a rope's ending. Three of these prisoners had been transferred from the Reformatory to the Central Prison, as being utterly incorrigible and beyond the reach of reformatory influences.

"3rd. In five instances, prisoners upon reporting themselves sick, were ordered by the Acting Chief Guard to return to their work, as he believed they were malingering—a practice which is of frequent occurrence, and that requires guarding against. In some of these cases the prisoners refused to go to work and were, in consequence placed in the dark cell, and upon being examined by the Gaol Surgeon the decision of the Chief Guard, in every instance except one, was sustained by the Surgeon, who pronounced the prisoners to be well and fit for work. The exception was a case of temporary faintness

"4th. One night at the close of 1875 or the beginning of 1876, a prisoner named Lewis became so noisy that he disturbed the entire dormitory, causing other prisoners to join in the noise. Upon reporting the case to the Warden, the Acting Chief Guard was instructed to place a wooden gag in the prisoner's mouth to keep him from shouting, and to handcuff his hands behind his back to keep him from breaking up the furniture in his cell On going into the cell to carry out this instruction, the Chief Guard alleges that the prisoner attacked him with a piece of iron broken from his bedstead, upon which he clenched the prisoner and beat him several times across the shoulders and hips with a key he had in his hand, after which the order of the Warden was carried out. The Turnkey, who was present, states that he did not see Lewis attack the Chief Guard. It is possible that the attack may have been made without the Turnkey seeing it, but in corroboration of the Chief Guard's statement it was clearly proven that the iron bedstead and cell furniture were broken, and that the prisoner had broken off a large piece of the stone jamb of the cell door. It was stated by several witnesses that the prisoner had given evidence of insanity prior to this occurrence, and subsequent events proved that the surmise was correct; but on the other hand, the Prison Surgeon did not certify to insanity for a considerable time after it took place. Under any circumstances, there is no proper place or means for the care of lunatics in the Prison the alleged cruelty, therefore considering this fact, did not consist in the means taken to prevent the other prisoners from being disturbed but in the charge, if true, that the prisoner was struck other than in self defence.

"5th. One prisoner was kept in irons for 72 hours without being taken down, except to his meals and other purposes of necessity, but it was clearly proven that he had been guilty of gross insubordination threatening and insolence on that, as well as on many other occasions, and that he was a violent and dangerous man From the statements of the Warden and Chief Guard it just became a question whether the officers or the prisoner should be masters From the date of that punishment, the prisoner became one of the best behaved men in the Prison

"6th The Acting Chief Guard was said to have knocked a prisoner's head against the wall until the blood came from his ears This the Acting Chief Guard denies and the Surgeon states that it is impossible that this could have been done without causing a fracture, which neither the Surgeon nor anyone else saw

"7th Three prisoners were placed in irons for insubordination and while in that position were exceedingly noisy and violent. Upon being visited by the Acting Chief Guard with a view to stopping the noise, and while the irons were being removed from them in order to take them to another cell, it was clearly proven that two of them used the vilest language to the officer mentioned, and one of them kicked him. Under this provocation the Acting Chief Guard struck them with his clenched fist. All of these prisoners were proven to be violent men requiring frequent punishment.

"In the foregoing categories are comprised all the acts of cruelty that were brought to light, after a most patient investigation extending over two weeks, during which time every officer of the Prison was placed under oath and examined.

"To sum up in respect to these various charges, it would be absurd to designate what is referred to in the first and second categories as acts of cruelty, inasmuch as the same practices are being carried on every day in our Common Schools. They had, however, been stopped in the Central Prison a year prior to the investigation.

"With respect to what is comprised in the third category, it is clear that so long as prisoners will feign sickness, prison officers will now and then make a mistake in their decisions in that relation. In order, however, that such mistakes of judgment may be reduced to the minimum, the Prison Surgeon has been directed to visit the Prison every morning at nine o'clock, so that every case of sickness reported may be pronounced upon by the proper medical officer of the Prison.

"It is much to be regretted that such harsh measures had to be adopted in the case of Lewis, in order to prevent him from disturbing the dormitories at night and breaking the cell furniture, the more so as subsequent events proved that the prisoner must have been insane at the time. A short time previous to the occurrence, a prisoner had been transferred from the Prison to Rockwood Asylum under certificates of insanity, but after a very short observation on the part of the Medical Superintendent of that Asylum, he certified that the man was not and never had been insane, although afflicted with an ungovernable temper. I have recommended that some better provision be made for the custody of violent and refractory prisoners, and it is most desirable that when the Hospital is erected a room should be provided for insane prisoners pending their transfer to an asylum.

"That part of the charge in respect to the Acting Chief Guard striking the prisoner Lewis other than in self-defence, is reduced, as the statement shows, to a question of veracity between that officer and a witness.

"The class of prisoners referred to in the fifth category are found in all prisons, and although few in number, their stubborn and unyielding temper, and the pertinacity with which that spirit is maintained, even when they clearly know that they are in the wrong, constitute one of the most difficult problems that prison officers have to deal with. The punishment awarded in this particular case, severe as it had to be, had the desired effect, although in many prisons some of this class are almost constantly under punishment.

"It was in dealing with the prisoners alluded to in the seventh category that the Acting Chief Guard committed serious indiscretions as a prison officer, but which, in the light of the facts elicited, cannot possibly be characterised as acts of cruelty. Under no circumstances, except in a clear and well-defined case of self-defence, should a prison official strike a prisoner. That the prisoners were beyond endurance, only showed the necessity and importance of the Guard controlling his own temper, and of using lawful means of punishment, which are always at his command.

"Before closing my remarks in connection with this subject, I desire to say that I wish it were possible for the discipline of the Prison to be maintained without inflicting physical pain, and that moral suasion and kindly admonishment alone could accomplish that object; but as far as I can ascertain, both agencies are necessary in all well regulated prisons. To well-behaved prisoners, however, and they comprise the large majority, there is no terror in the fact that dark cells and irons have to be resorted to, in order to keep the unruly and insubordinate under control.

"The severe check that the industrial operations of the Prison received through the failure of the Canada Car Company to carry out its original contract with the Government for the employment of the prisoners, has prevented me from inaugurating such a scheme of rewards and remissions of sentences as will tend to encourage and promote good conduct and stimulate industrious habits on the part of the prisoners. Now, however, that the industrial success of the Prison bids fair to be permanently established, I trust that I will be warranted in submitting a scheme for the approval of the Government at an early day."

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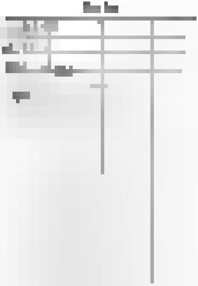[illegible]